

UNITED STATES DISTRICT COURT
DISTRICT COURT OF MINNESOTA
Criminal No. 24-7 (JMB/DLM)

-----X

UNITED STATES OF AMERICA, :

Plaintiff, :

V. :

DAVID V. ERICKSON, :

Defendant :

-----X

Toronto, Ontario, Canada

Thursday, May 15, 2025

Videotaped Deposition of AMANDA ZIMMERMAN,
a witness herein, called for examination by counsel
for the Plaintiff, in the above-mentioned matter,
the witness having been duly sworn, taken at
Veritext Legal Solutions, 77 King Street West,
Suite 2020, Toronto, Ontario, commencing at 9:07
a.m. on Thursday, May 15, 2025, and the proceedings
taken down by Stenotype and transcribed by
JUDITH M. CAPUTO, RPR, CSR, CRR.
Job No. CS7296586

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1 A P P E A R A N C E S (cont'd):

2

3 ALSO PRESENT:

4

5 Rusty Kiser, IRS Criminal Investigation

6 Adrienne Rice, Department of Justice Canada

7

8 VIDEOGRAPHER:

9 Peter Goodale, CLVS

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WITNESS: AMANDA ZIMMERMAN

PAGE

DIRECT EXAMINATION BY MR. BOURGET..... 11

CROSS-EXAMINATION BY MR. MAUZY..... 59

RE-EXAMINATION BY MR. BOURGET..... 122

1	INDEX OF EXHIBITS	
2	(PREVIOUSLY MARKED)	
3		
4	NUMBER/DESCRIPTION	PAGE NO.
5		
6	G-1001: Organizational Chart	16
7	G-7: E-mail Chain from D. Erickson to	22
8	A. Zimmerman, et al dated November 6,	
9	2012, RE: Cam4 Pay.	
10	G-8: E-mail Chain from D. Erickson to	29
11	R. Burry dated March 12, 2013.	
12	10: E-mail Chain from D. Erickson to	32
13	G. Elias, et al, dated January 4, 2018.	
14	11: E-mail Chain from D. Erickson to	33
15	A. Zimmerman, et al, dated August 28,	
16	2014 Re: Advances to Chad.	
17	12: E-mail Chain from D. Erickson to	35
18	A. Zimmerman, et al, dated February	
19	23, 2016, Re: Toine's cash advances	
20	13: E-mail from D. Erickson to	37
21	A. Zimmerman, et al, dated January 6,	
22	2015 Re: Tax Payments	
23	15: E-mail from D. Erickson to A.	39
24	Zimmerman, et al, dated April 18, 2016	
25	Re: Loan.	

1	17: E-mail from D. Erickson	41
2	to A. Zimmerman, et al, dated May 3,	
3	2017 Re: Loan	
4	18: E-mail from D. Erickson	42
5	to A. Zimmerman, et al, dated November	
6	3, 2017 Re: Loan	
7	19: E-mail from D. Erickson	45
8	to A. Zimmerman, et al, dated June 12,	
9	2017 Re: Loan to Halstead	
10	20: E-mail from D. Erickson	47
11	to A. Zimmerman, et al, dated October	
12	17, 2018 Re: Short Term Loan	
13	16: E-mail Chain from D. Erickson to	48
14	A. Zimmerman, et al, dated December	
15	28, 2016 Re: Transfer 112368	
16	14: E-mail from D. Erickson to	56
17	A. Zimmerman, et al, dated January 21,	
18	2015 Re: Amex.	
19	21: E-mail from D. Erickson	108
20	et al, to T. Severin dated May 30,	
21	2018, Re: Transfer.	
22	22: E-mail Chain from D. Erickson to	111
23	A. Zimmerman, et al, dated August 27,	
24	2014, Re: Loan.	
25		

1 23: E-mail from D. Erickson 114
2 to A. Zimmerman, et al, dated
3 September 29, 2016 Re: Loan
4 D-50: Firefly Lane, LTD., Shareholders 117
5 Agreement dated July 1, 2009

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1 -- Upon commencing at 9:07 a.m.

2

3 THE VIDEOGRAPHER: We are going on the
4 record at 9:07 a.m. on May 15, 2025.

5 Please note that this deposition is
6 being conducted virtually. Quality of recording
7 depends on the quality of camera and internet
8 connection of participants. What is seen from the
9 witness and heard on screen is what will be
10 recorded. Audio and video recording will continue
11 to take place unless all parties agree to go off
12 the record.

13 This is media unit one of the
14 video-recorded deposition of Amanda Zimmerman,
15 taken by counsel for the Plaintiff in the matter
16 of: United States of America vs. David V.
17 Erickson, filed in the United States District
18 Court, District of Minnesota. Case No.
19 0:24-CR-0007-JMB-DLM.

20 The location of the deposition is
21 Veritext Ontario, 2020-77 King Street West,
22 Toronto, Ontario, Canada.

23 My name is Peter Goodale, certified
24 legal videographer representing Veritext Legal
25 Solutions. The court reporter is Judith Caputo,

1 also from the firm Veritext Legal Solutions.

2 I am not authorized to administer an
3 oath. I am not related to any party in this
4 action, nor am I financially interested in the
5 outcome.

6 If there are any objections to
7 proceeding, please state them at the time of your
8 appearance.

9 Counsel and all present, including
10 remotely, will now state their appearances and
11 affiliations for the record, beginning with the
12 noticing attorney.

13 MR. BOURGET: Good morning. Boris
14 Bourget on behalf of the United States.

15 MS. SCOTT: Along with Amanda Scott on
16 behalf of the United States.

17 MR. DOOLING: William Dooling on behalf
18 of the Defendant, David Erickson.

19 MR. MAUZY: William Mauzy on behalf of
20 David Erickson.

21 MR. ERICKSON: David Erickson.

22 MR. KISER: Rusty Kiser, IRS Criminal
23 Investigation.

24 MS. RICE: Adrienne Rice, Attorney
25 General of Canada.

1 MS. JANSSEN: Charlotte Janssen,
2 counsel to Rypl.

3 MR. GINTER: Justin Ginter on behalf of
4 Ms. Zimmerman.

5 THE WITNESS: Amanda Zimmerman.

6 THE VIDEOGRAPHER: Will the court
7 reporter please swear in or affirm the witness, and
8 then counsel may proceed.

9 AMANDA ZIMMERMAN,
10 having been duly affirmed testified on her oath as
11 follows.

12 MR. BOURGET: Okay. Before we get to
13 questioning, the parties have just discussed off
14 the record something we want to put on the record
15 related to the admission of exhibits.

16 This deposition is being taken pursuant
17 to United States Federal Rule Criminal Procedure 15
18 and a joint deposition protocol that was agreed to
19 by the parties and adopted by the Court.

20 Missing from that protocol is how to
21 handle the admission of exhibits. The parties have
22 agreed that we will not formally move to admit
23 exhibits during the depositions but will do so
24 during the briefing process that's set out in the
25 deposition protocol.

1 Mr. Mauzy, any objections to that?

2 MR. MAUZY: No. That is our agreement.

3 MR. BOURGET: Okay. Ms. Rice, did you
4 have any statement or anything that you needed to
5 put on the record before we get started?

6 MS. RICE: I just would like to confirm
7 with Ms. Zimmerman and Mr. Ginter that they
8 understand -- their understanding that it is a
9 voluntary deposition.

10 MR. GINTER: We understand.

11 DIRECT EXAMINATION

12 BY MR. BOURGET:

13 Q. All right. Ms. Zimmerman, what
14 city do you live in?

15 A. I live in St. Catharines.

16 Q. Is that in Ontario?

17 A. Yes.

18 Q. Are you testifying voluntarily
19 today?

20 A. Yes.

21 Q. Have you been subpoenaed or
22 compelled to appear here today?

23 A. No.

24 Q. On May 5th, 2025, did you sign an
25 immunity agreement with the United States

1 Government?

2 A. Yes.

3 Q. Do you understand that that
4 agreement requires you to give complete and
5 truthful testimony today?

6 A. Yes.

7 Q. And do you understand that if you
8 give true and complete testimony today, the U.S.
9 government has agreed not to use any statements you
10 make today against you?

11 A. Yes.

12 Q. Are you currently employed?

13 A. Yes.

14 Q. Where do you work?

15 A. At Rypl.com Inc.

16 Q. What's -- I'm sorry?

17 A. That's okay. Rypl.com Inc.

18 Q. What is the highest level of
19 schooling that you've completed?

20 A. High school.

21 Q. Have you received any formal
22 training or education in tax or accounting or a
23 related field?

24 A. Just a high school class.

25 Q. So, at Rypl, what is your title?

1 A. Assistant controller.

2 Q. And how long have you worked at
3 Rypl?

4 A. I've worked for the company since
5 2007.

6 Q. Okay. And did the Rypl business
7 previously operate under different names?

8 A. Yes.

9 Q. And what were those?

10 A. I started in 2007 at Guayaca
11 Financial Services.

12 Q. Can you spell that?

13 A. G-U-A-Y-A-C-A. And then I also
14 worked for Webkrew Inc.

15 Q. And were you an assistant
16 controller at those companies as well?

17 A. No.

18 Q. What were your -- or what was your
19 title at those companies?

20 A. Most of the time -- AP clerk, and
21 I think AP manager.

22 Q. What does "AP" stand for?

23 A. Accounts payable, sorry.

24 Q. So, as an assistant controller at
25 Rypl, what are your day-to-day duties and

1 responsibilities?

2 A. Making all payments, payments to
3 our broadcasters, operational payments like rent,
4 utility bills. I also reconcile bank accounts. I
5 assist Tony Severin with his duties as well.

6 Q. And who's Tony Severin?

7 A. He's the -- the CFO.

8 Q. Now, prior to working for Rypl or
9 Webkrew, Guayaca -- or Guayaca, did you have any
10 work experience in bookkeeping or accounting?

11 A. No.

12 Q. Did you primarily learn what you
13 now know on the job that you have?

14 A. Yes.

15 Q. Do you know the Defendant, David
16 Erickson?

17 A. Yes.

18 Q. Is he in the room today?

19 A. Yes, he is.

20 Q. And can you point him out and
21 describe what he's wearing?

22 A. He is wearing a navy jacket and --
23 yeah, and a white shirt and jeans.

24 Q. All right. I'll note for the
25 record that the witness has identified the

1 Defendant, David Erickson.

2 When did you first meet the Defendant?

3 A. Maybe around 2010.

4 Q. Do you recall how you first met
5 him?

6 A. He would have come to the office.

7 Q. And where was the office located?

8 A. At that time it was in Liberty
9 Village at 107 Atlantic.

10 Q. Is that in Toronto?

11 A. In Toronto.

12 Q. Does Rypl still have a physical
13 office building?

14 A. Not one that we work out of, no.

15 Q. Is the company primarily remote?

16 A. Yes.

17 Q. Now, while you worked with the
18 Defendant at Rypl, what was your understanding of
19 his day-to-day role within the company?

20 A. I knew him as a partner. He
21 wasn't really involved day to day.

22 Q. Was there a part of the business
23 that he was primarily responsible for?

24 A. He oversaw the finance, accounting
25 sometimes.

1 Q. Did you consider him to be your
2 boss?

3 A. Yes.

4 Q. Okay. I want to now show you
5 what's been marked for identification as
6 Government's Exhibit 1001.

7 EXHIBIT NO. G-1001: Organizational Chart.
8 BY MR. BOURGET:

9 Q. Ms. Zimmerman, reviewing this
10 chart, do you recognize the entities that are
11 listed here?

12 A. Yes, I do.

13 Q. Are there any that you do not
14 recognize?

15 A. No.

16 Q. Do you have an ownership interest
17 in any of these entities?

18 A. No, I do not.

19 Q. Starting at the bottom right with
20 Cam4, can you describe what Cam4 is?

21 A. Yeah. So it's an online live cam
22 service, yeah.

23 Q. For someone who isn't familiar,
24 what's -- what's a live cam service, you know,
25 what --

1 A. Sure. So we host, people in their
2 homes can make money by being online, yeah.

3 Q. So this is where people are live
4 streaming using a webcam?

5 A. Yes.

6 Q. Are the performances on the
7 website generally sexually explicit in nature?

8 A. Probably most.

9 MR. MAUZY: Objection, 403 and 404(b).

10 BY MR. BOURGET:

11 Q. Is this a website that someone
12 under 18 should access?

13 A. No.

14 Q. Does Cam4 generate revenue?

15 A. Yes.

16 Q. How does Cam4 make money?

17 A. Through the sale of tokens which
18 users can purchase and tip their favorite
19 performers, as well as memberships.

20 Q. Now, looking at this chart, do you
21 have an understanding of how the revenue generated
22 by Cam4, if it does, gets passed through the rest
23 of the structure?

24 A. Somewhat.

25 Q. Starting at the bottom, can you

Page 18

1 explain the relationship, if any, between Cam4 and
2 Granity Entertainment Limited?

3 A. Yes. So, Granity Entertainment
4 manages Cam4. They purchase or -- sorry. So,
5 Granity holds the credit card billing accounts. I
6 don't know what you want me to explain. Sorry,
7 could you...

8 Q. Sure, I can rephrase. So, you
9 mentioned that Granity manages Cam4. So what does
10 that look like on a day-to-day basis?

11 A. Well, Cam4 is just the product,
12 right? So Granity is the company that manages
13 Cam4. So they provide the payouts for the
14 performers, once the performers earn money. And,
15 yeah...

16 Q. When a customer or -- customer on
17 Cam4 buys tokens --

18 A. Uhm-hmm.

19 Q. -- what bank account does that --

20 A. The Granity bank account.

21 Q. And so what's the relationship
22 between Surecom and Cam4?

23 A. Surecom owns the licensing --

24 Q. Okay.

25 A. -- for Cam4.

1 Q. And what's the relationship
2 between Surecom and Granity Entertainment?

3 A. License agreement as well.

4 Q. Okay. So, when Granity collects
5 revenue from Cam4, does that revenue get passed on
6 to other entities in this structure?

7 A. Yes.

8 Q. Can you explain generally how that
9 works?

10 A. I mean, I don't have a very clear
11 understanding.

12 Q. And I'm only asking what you know.

13 A. Right. So, I mean, Surecom bills
14 Granity for the licensing.

15 Q. Okay. Does the revenue from Cam4
16 eventually get passed up to the box that says
17 FireFly Lane and FireFly Lane Corporation?

18 A. Yes.

19 Q. Okay. And was that the case for
20 the time period between 2013 and 2019?

21 A. I believe so.

22 Q. Do you recall where -- well, let
23 me take a step back. FireFly Lane and FireFly --
24 FireFly Lane Ltd. and Firefly Lane Corporation are
25 two different companies; is that correct?

1 A. Yes.

2 Q. Do you generally refer to those
3 two companies collectively as "FireFly"?

4 A. Yes. I mean, FireFly Limited/Ltd.
5 doesn't exist anymore, but...

6 Q. Okay. So, between 2013 and 2019,
7 did Firefly have bank accounts?

8 A. Yes.

9 Q. Do you recall where those bank
10 accounts were?

11 A. At United Bank in Curacao. And I
12 believe Firefly Lane Corporation had one at
13 Alexandria bank as well.

14 Q. Did you have access to those bank
15 accounts?

16 A. Yes.

17 Q. Were you able to view the
18 statements showing the transactions coming in and
19 out of those accounts?

20 A. Yes.

21 Q. Were you able to execute transfers
22 out of those --

23 A. Yes.

24 Q. -- accounts?

25 Were you the one who decided when to

1 send money out of those accounts?

2 A. No.

3 Q. Did someone else typically direct
4 you as to when to execute transfers out of those
5 accounts?

6 A. Yes.

7 Q. Now, from 2013 to 2019, who
8 typically directed you as to where to send funds
9 from the Firefly accounts?

10 A. Usually Tony Severin.

11 Q. Did David Erickson ever direct you
12 to send funds from Firefly accounts?

13 A. Yes.

14 Q. Did Rypl have its own bank
15 accounts?

16 A. Yes.

17 Q. And do you recall where Rypl
18 banked between 2013 and 2019?

19 A. I believe at Royal Bank Canada.

20 Q. And did you have access -- I'm
21 sorry?

22 A. No, excuse me. I think -- I think
23 it was at TD Bank.

24 Q. Is that a Canadian bank?

25 A. Yes.

1 Q. Did you have access to those Rypl
2 bank accounts as well?

3 A. Yes.

4 Q. Were you able to execute transfers
5 out of those accounts?

6 A. Yes.

7 Q. And like Firefly, did both
8 Mr. Severin and the Defendant typically direct you
9 where to send money out of those accounts?

10 A. Yes.

11 MR. MAUZY: Objection as compound.

12 BY MR. BOURGET:

13 Q. Did Tony Severin direct you on
14 where to send money out of those accounts?

15 A. Yes.

16 Q. Did the Defendant direct you where
17 to send money out of those accounts?

18 A. Yes.

19 Q. Okay. I want to show you now what
20 has been marked as Exhibit G-7.

21 EXHIBIT NO. G-7: E-mail Chain from
22 D. Erickson to A. Zimmerman, et al
23 dated November 6, 2012, RE: Cam4 Pay.

24 BY MR. BOURGET:

25 Q. Now, the e-mail at the top appears

1 to be an e-mail from Dave Erickson to you, with
2 Johnny Chang copied, on November 6, 2012; does that
3 appear correct to you?

4 A. Yes.

5 Q. Does that appear to be a true and
6 accurate copy of that e-mail?

7 A. Yes.

8 Q. And here at the time, was this
9 your work e-mail address, Amandawkrew.com?

10 A. Yes.

11 Q. I want to go to the bottom of this
12 chain, starting with the first e-mail here from you
13 to someone named Dana Eisner, dated August 29,
14 2012. Did I read that correctly?

15 A. Yes.

16 Q. Now, this e-mail says -- you
17 write:

18 "Dear Dana,

19 Currently, we fund our Payoneer
20 account from a bank here in Canada
21 however, in the next few days, we
22 will be closing this bank account.

23 Can you please send me whatever
24 forms are necessary for us to fill
25 out for Payoneer to accept funding

1 from our new account?"

2 Did I read that correctly?

3 A. Yes.

4 Q. So, first things: What is
5 Payoneer?

6 A. Payoneer is a third party payment
7 provider. They facilitate payments through their
8 service.

9 Q. Can you just explain in your own
10 words what exactly you're requesting here?

11 A. It looks like we're probably
12 switching companies or bank accounts, so I'm
13 requesting the paperwork from her to get that
14 rolling.

15 Q. Okay. After a little back and
16 forth, there's another e-mail here that I'll put
17 up, an e-mail from you to Ms. Eisner, dated
18 September 4th, 2012. Does that appear correct to
19 you?

20 A. Yes.

21 Q. You said:

22 "Dana, the funds will be coming
23 from the following account in the
24 future..."

25 So, here are you just forwarding the

1 details for the new bank account?

2 A. Yes.

3 Q. Okay. Then there's a little bit
4 more back and forth, but I want to focus on this
5 e-mail here from October 10th, 2012, e-mail from
6 Dana Eisner to you, where Ms. Eisner says:

7 "Sorry to bug you again but
8 compliance is being a stickler.
9 It's really important for us to know
10 the exact source of the funds in
11 order to insure the security of all
12 our partners and their payees that
13 is why we are so thorough.

14 We need the names of the people
15 behind the Corporations listed in
16 the Firefly lane Stock register pdf.
17 Major shareholder per corporation."
18 Did I read that correctly?

19 A. Yes.

20 Q. Again, you know, obviously this --
21 the e-mail is on the screen, but can you just
22 explain in your own words what you understood
23 Ms. Eisner to be asking for here?

24 A. I'm assuming that we sent her the
25 -- I'm assuming we sent her the stock register for

1 Sure -- maybe we sent her the ownership for Surecom
2 and she's asking for the stock register for
3 Firefly.

4 Q. During this time, was it common
5 for, you know, the -- your company's banking
6 partners to ask for information regarding the
7 individual owners of --

8 A. Yes.

9 Q. -- the various corporations that
10 are involved?

11 A. Yes.

12 Q. Then the next e-mail I want to
13 show you is again on this chain, but it's another
14 e-mail from Dana Eisner to you, dated November 6,
15 2012, where Ms. Eisner says:

16 "Thank you very much for
17 getting back to me. Before I even
18 pass this on I do know what the
19 compliance will come back and say.
20 Ultimately we just need to know who
21 the actual person is that owns the
22 companies, a physical person that
23 will be accountable at the end of
24 the day. Right now I just see
25 cooperation names."

1 Is it likely she meant "corporation"
2 there?

3 A. Correct.

4 Q. "While you guys are ok to
5 continue to fund and make payments I
6 know my compliance department is
7 going to give me a hard time about
8 getting this info."

9 Did I read that correctly?

10 A. Yes.

11 Q. So the bank here is really, they
12 want to know who the individual physical people are
13 who own the company?

14 A. Yes.

15 Q. Is that what she's asking for?

16 A. Yes.

17 Q. Following that e-mail, you write
18 to the Defendant, and I believe Johnny Chang, where
19 you say here at the bottom:

20 "Can someone please provide
21 this information asap as we need to
22 fund Payoneer from Surecom in the
23 next few days and they won't accept
24 payment from Surecom until this is
25 sorted."

1 Did I read that correctly?

2 A. Yes.

3 Q. And the Defendant responds on
4 November 6, 2012, saying:

5 "No one is ever authorized to
6 send stock registers anywhere. Greg
7 Elias stands up for all Firefly
8 matters."

9 Did I read that correctly?

10 A. Yes.

11 Q. Who is Greg Elias?

12 A. Greg Elias, he -- I don't know
13 what his role is at the bank, but it's -- I believe
14 he manages the United Bank, where the bank accounts
15 are hold that -- held that we're speaking of, the
16 Surecom and Firefly bank accounts.

17 Q. Okay. Based on your
18 understanding, did he have any control over the
19 day-to-day decisions of FireFly?

20 A. I don't know that.

21 Q. Okay. Did he have any control
22 over the day-to-day decision making at Rypl?

23 A. No.

24 Q. What did you understand "Greg
25 Elias stands up for all Firefly matters" to mean?

1 A. That he is the person to go to for
2 Firefly-related matters.

3 Q. Has Greg Elias ever directed you
4 regarding where to send funds from Firefly bank
5 accounts?

6 A. No.

7 Q. Has he ever directed you where to
8 send funds on behalf of any company that you've
9 worked for?

10 A. No.

11 Q. I want to show you now what's been
12 marked as Government's Exhibit 8.

13 EXHIBIT NO. G-8: E-mail Chain from
14 D. Erickson to R. Burry dated March 12,
15 2013, Re: HSBC bank wire.

16 BY MR. BOURGET:

17 Q. I want to start with the second
18 e-mail -- I'm sorry, the bottom e-mail here. This
19 is an e-mail -- you're on this chain later on.
20 This is an e-mail from Richard Burry to Dave
21 Erickson dated March 11, 2013. Who is Richard
22 Burry?

23 A. He's another partner.

24 Q. Mr. Burry writes:

25 "Dave, if they can transfer

1 \$100k to the same HSBC account in
2 Panama that I get my other
3 dividends, that would be great.
4 Details are..."

5 And then he provides some bank account
6 information. Did I read that correctly?

7 A. Yes.

8 Q. Now I want to focus on the
9 following two e-mails right above that. From --
10 Dave Erickson writes on March 12th, 2013:

11 "Please send Richard this money
12 and code it to his
13 payable/receivable."

14 Did I read that correctly?

15 A. Yes.

16 Q. And then above that, you ask:

17 "From Firefly or Surecom?"

18 Is that correct?

19 A. Yes.

20 Q. And Dave Erickson responds:

21 "Firefly please."

22 Did I read that correctly?

23 A. Yes.

24 Q. Was it unusual for the Defendant
25 to be directing transactions in this way?

1 A. Yes -- oh, sorry?

2 Q. Was it unusual --

3 A. No.

4 Q. -- for the Defendant --

5 A. No.

6 Q. -- to be directing?

7 A. Not unusual.

8 Q. And just as a reminder, since we
9 have a court reporter here, it's -- usually, when
10 two people are speaking, we kind of talk over each
11 other and that's how a normal conversation works.
12 If you could just let me finish my question before
13 you answer and I will wait until you finish your
14 answer before I ask my next question.

15 And when the Defendant made -- gave you
16 directions like this, did you generally follow his
17 instructions?

18 A. Yes.

19 Q. Can you recall an instance where a
20 partner or shareholder within Firefly or Rypl,
21 other than the Defendant, directed you to send out
22 what they called the dividend?

23 A. I can't recall any time.

24 Q. I want to show you now what's been
25 marked as Government's Exhibit 10.

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EXHIBIT NO. G-10: E-mail Chain from
D. Erickson to G. Elias, et al, dated
January 4, 2018, Re: Housekeeping.

BY MR. BOURGET:

Q. And I just want to draw your
attention to the e-mail at the bottom of the page,
an e-mail from the Defendant to you and Tony
Severin on January 4th, 2018. Does that appear to
be a fair and accurate copy of that e-mail?

A. Yes.

Q. So the Defendant writes:

"I've just finished attending
various meetings in Curacao and have
been asked to pass along some
housekeeping items.

Firstly, transfers that are
Shareholder Advances have the word
'Dividend' in the Reference Field.
This should be corrected going
forward and until such time as
formal Dividends are declared by the
Directors."

Did I read that correctly?

A. Yes.

1 Q. And, again, was it unusual for the
2 Defendant to be providing directions on how to code
3 transactions in this way?

4 A. Can you repeat that again?

5 Q. Was it unusual for the
6 Defendant --

7 A. Not unusual, sorry.

8 Q. Okay.

9 A. Not unusual.

10 Q. Now, for the jury's information,
11 when we refer to coding, is that a reference to how
12 a transaction is categorized or described in the
13 company's books and records?

14 A. Yes.

15 Q. I want to show you now Exhibit 11
16 that's been marked for identification.

17 EXHIBIT NO. G-11: E-mail Chain from
18 D. Erickson to A. Zimmerman, et al,
19 dated August 28, 2014 Re: Advances to Chad.
20 BY MR. BOURGET:

21 Q. It appears to be an e-mail from
22 the Defendant to you and David van der Poel, with
23 Tony Severin and Chad Moldon cc on August 28th,
24 2014. Did I read that correctly?

25 A. Yes.

1 Q. Does that appear to be a fair and
2 accurate copy of that e-mail?

3 A. Yes.

4 Q. So, first, who is David van der
5 Poel?

6 A. He is another partner.

7 Q. A partner at Firefly?

8 A. Yes.

9 Q. Now, the Defendant writes here:
10 "All,

11 We need to reconcile all advances
12 to Chad as from 01/01/2011."

13 What did you understand that to be
14 referring to?

15 A. That he needs a list of money
16 that's been advanced to either David or Chad.

17 Q. Okay. And, again, was it unusual
18 for the Defendant to be tracking any company
19 advances made to other shareholders?

20 A. Not unusual.

21 Q. Do you recall ever receiving
22 similar requests or e-mails from other shareholders
23 regarding any payments or advances made to the
24 Defendant?

25 A. No.

1 Q. Now I want to show you what's been
2 marked for identification as exhibit --
3 Government's Exhibit 12.

4 EXHIBIT NO. G-12: E-mail Chain from
5 D. Erickson to A. Zimmerman, et al,
6 dated February 23, 2016, Re: Toine's
7 cash advances.

8 BY MR. BOURGET:

9 Q. And this appears to be an e-mail
10 from Dave Erickson to you, with Tony Severin copied
11 on February 23rd, 2016? Did I read that correctly?

12 A. Yes.

13 Q. Does that is appear to be a fair
14 and accurate copy of that e-mail?

15 A. Yes.

16 Q. Now, here the Defendant mentions:

17 "Toine is making an investment
18 in Spain by taking cash advances
19 from a corporate card. As you see
20 these, please code them to his
21 partner loan account and pay it back
22 from his dividends from April
23 through December of this year."

24 So, first, do you know who Toine is?

25 A. Yes.

1 Q. Who is Toine?

2 A. Another partner.

3 Q. What's Toine's last name?

4 A. Rodenburg.

5 Q. And is the Defendant making a
6 similar request in this e-mail as the one we just
7 looked at in Exhibit 11 regarding advances to Chad
8 Moldon?

9 A. Similar.

10 Q. So while you worked at Rypl and
11 Firefly, did the Defendant have some kind of
12 regular compensation?

13 A. Yes.

14 Q. Do you recall how much
15 approximately he earned, if you know?

16 A. I believe it was around 36,000 a
17 month.

18 Q. A month?

19 A. Yeah.

20 Q. Do you recall if he received that
21 money directly or was it paid through another
22 entity?

23 A. It would have been Halstead Bay
24 Holdings.

25 Q. Now, between 2013 and 2019, do you

1 recall receiving a request from the Defendant to
2 transfer funds to Halstead Bay Holdings beyond his
3 regular monthly payments?

4 A. Yes.

5 Q. Did Halstead Bay Holdings have its
6 own bank accounts?

7 A. Yes.

8 Q. And so that -- during that same
9 period of time, 2013, did you execute payments to
10 Halstead Bay Holdings accounts from either Firefly
11 or Rypl accounts at the Defendant's request?

12 A. I believe so.

13 MR. MAUZY: Objection as compound.

14 BY MR. BOURGET:

15 Q. I want to show you now what's been
16 marked as Government's Exhibit 13 for
17 identification.

18 EXHIBIT NO. G-13: E-mail from
19 D. Erickson to A. Zimmerman, et al,
20 dated January 6, 2015 Re: Tax Payments.

21 BY MR. BOURGET:

22 Q. And now looking at this e-mail --
23 I won't read the entire thing -- can you just
24 explain to us what you understood this e-mail to
25 be?

1 A. Yes. It's Mr. Erickson needed to
2 make tax payments.

3 Q. Were these tax payments for
4 Halstead Bay Holdings?

5 A. I'm -- I'm not aware.

6 Q. Was this amount that he requested
7 -- well, first, he says in this e-mail:

8 "I need to make tax payments
9 totalling \$72,056.24 by 1/14/15."
10 Then he says:

11 "Please amortize \$60,000 over
12 the period of January 1, 2015 to
13 December 31, 2015.

14 Please amortize \$12,056.24 over
15 the period January 1, 2015 to
16 March 31, 2015."

17 Did I read that correctly?

18 A. Yes.

19 Q. And so the Defendant is asking you
20 to amortize these payments. Can you just explain
21 what that means?

22 A. Sure. I mean, the \$60,000 was for
23 what looks like the entire year of 2015, covering
24 the entire year. And then the rest was for three
25 months.

1 Q. What does it mean to amortize a
2 payment?

3 A. You're spreading it out, dividing
4 it up.

5 Q. Did you send these funds to
6 Halstead Bay as requested?

7 A. Yes.

8 Q. Now, before making this transfer
9 to Halstead Bay, did you have to get approval from
10 anyone else at Rypl?

11 A. No.

12 Q. Did you have to get approval from
13 anyone else at Firefly?

14 A. No.

15 Q. Did you have to get approval from
16 Greg Elias?

17 A. No.

18 Q. I want to show you now what's been
19 marked as Government's Exhibit 15.

20 EXHIBIT NO. G-15: E-mail from
21 D. Erickson to A. Zimmerman, et al,
22 dated April 18, 2016 Re: Loan.

23 BY MR. BOURGET:

24 Q. This appears to be an e-mail from
25 the Defendant to you and Tony Severin copied on

1 April 18th, 2016. Did I read that correctly?

2 A. Yes.

3 Q. What's the subject line of this
4 e-mail?

5 A. "Loan."

6 Q. In this e-mail he, the Defendant,
7 asks you:

8 "Amanda,

9 Please send Halstead \$65,871.18
10 at your earliest convenience.

11 Loan to me."

12 Did I read that correctly?

13 A. Yes.

14 Q. When he says "loan to me," what
15 did you understand that to mean?

16 A. It was a loan to Halstead or
17 Mr. Erickson.

18 Q. Was it common for the Defendant to
19 send you general loan requests like this?

20 A. Yes.

21 Q. And after receiving one, did you
22 typically execute the transfers that he was
23 requesting?

24 A. Yes.

25 Q. Did you consult with any of the

1 other partners or shareholders before doing so?

2 A. No.

3 Q. Did you need to consult or get
4 approval from Greg Elias?

5 A. No.

6 Q. Did the Defendant ever explain to
7 you what, you know, what he refers to as a loan was
8 for?

9 A. I don't remember.

10 Q. I'm showing you now what's been
11 marked for identification as Government's
12 Exhibit 17.

13 EXHIBIT NO. G-17: E-mail from D. Erickson
14 to A. Zimmerman, et al, dated May 3,
15 2017 Re: Loan.

16 BY MR. BOURGET:

17 Q. It appears to be an e-mail from
18 Dave Erickson to you and Tony Severin dated
19 May 3rd, 2017. Did I read that correctly?

20 A. Yes.

21 Q. Does this appear to be a fair and
22 accurate copy of that e-mail?

23 A. Yes.

24 Q. What's the subject line of this
25 e-mail?

1 A. "Loan."

2 Q. Now, in this the Defendant writes:

3 "Please send \$75,000 to

4 Halstead as a loan when you have the

5 funds available."

6 Again, as far as you recall, did you
7 execute this transfer?

8 A. Yes.

9 Q. Did you have to get approval from
10 anyone before doing so?

11 A. No.

12 Q. Can you recall a time at any point
13 where you refused to make a transfer that the
14 Defendant requested like this?

15 A. No.

16 Q. I'm showing you now what's been
17 marked as Government's Exhibit 18.

18 EXHIBIT NO. G-18: E-mail from D. Erickson
19 to A. Zimmerman, et al, dated November
20 3, 2017 Re: Loan.

21 BY MR. BOURGET:

22 Q. And I'll start at the bottom
23 e-mail of this chain here, which appears to be an
24 e-mail from the Defendant to you, with Tony Severin
25 copied, dated November 2nd, 2017. Did I read that

1 correctly?

2 A. Yes.

3 Q. Does this appear to be a fair and
4 accurate copy of that e-mail?

5 A. Yes.

6 Q. What's the subject line of this
7 e-mail?

8 A. "Loan."

9 Q. What's the Defendant requesting in
10 this e-mail?

11 A. \$30,000.

12 Q. And he says there:

13 "I need to make a wire from
14 Halstead tomorrow for a deal."

15 Did I read that correctly?

16 A. Yes.

17 Q. Do you recall what the deal was
18 that the Defendant was referring to?

19 A. I do not.

20 Q. Do you recall if he told you?

21 A. I do not.

22 Q. I'm going to move now up to the
23 second e-mail from the bottom in the chain, which
24 appears to be an e-mail from Tony Severin to you
25 and the Defendant, where he responds:

1 "Hi Dave,

2 We don't have \$30,000 USD in Rypl
3 currently. We had month-end salary
4 and rent so running short on USD
5 until we get some in for Monday.

6 So can this wait til Monday? For
7 GL coding purposes what is the deal
8 for??"

9 Do you know what Mr. Severin is
10 referring to when he says "GL coding"?

11 A. Yeah, the general letter --
12 ledger.

13 Q. Again, for somebody who doesn't
14 know, what's a general ledger?

15 A. It's all the account numbers held
16 for the accounting purposes.

17 Q. Sorry, can you speak up just a
18 little bit?

19 A. Sorry. It's all the account
20 numbers. It's for the, uh, accounting software,
21 accounting service.

22 Q. Is that where all -- is that where
23 transactions are recorded for the company?

24 A. Yes.

25 Q. So let me move a little further up

1 the chain here. You follow up on November 3rd,
2 2017, saying:

3 "Hi Dave,

4 Funds came in late this afternoon
5 and your wire is set to go out as
6 soon as the bank opens Monday."

7 He responds in the e-mail at the top,
8 "Thanks." Did I read that correctly?

9 A. Yes.

10 Q. Does this all seem to be a true
11 and accurate copy of this e-mail chain?

12 A. Yes.

13 Q. Now, when -- in the prior e-mail
14 when Tony Severin asks what the deal is for, do you
15 recall if the Defendant provided any information
16 about the deal he was referring to?

17 A. I don't know.

18 Q. I'm showing you now what's been
19 marked as Government's Exhibit 19.

20 EXHIBIT NO. G-19: E-mail from D. Erickson
21 to A. Zimmerman, et al, dated June 12,
22 2017 Re: Loan to Halstead.

23 BY MR. BOURGET:

24 Q. This appears to be an e-mail from
25 the Defendant to you, with Tony Severin copied,

1 dated June 12, 2017. What's the subject line of
2 this e-mail?

3 A. "Loan to Halstead."

4 Q. And does this appear to be a true
5 and accurate copy of that e-mail?

6 A. Yes.

7 Q. The body of the e-mail just says,
8 "\$25,000." What did you understand that to mean?

9 A. That he, Mr. Erickson, is
10 requesting a \$25,000 loan to Halstead.

11 Q. Was it common for the Defendant to
12 send you, you know, short e-mails like this with
13 just a number figure?

14 A. Yes.

15 MR. BOURGET: Can we go off the record
16 for just two minutes.

17 THE VIDEOGRAPHER: Off the record at
18 9:45 a.m.

19 -- RECESS TAKEN AT 9:45 A.M. --

20 -- UPON RESUMING AT 9:50 A.M. --

21 THE VIDEOGRAPHER: We're back on the
22 record at 9:50 a.m. Go ahead.

23 BY MR. BOURGET:

24 Q. Okay, Ms. Zimmerman, I'm showing
25 you what we've noted as Government's Exhibit 20.

1 There isn't an exhibit sticker on this quite yet,
2 but...

3 EXHIBIT NO. G-20: E-mail from D. Erickson
4 to A. Zimmerman, et al, dated October
5 17, 2018 Re: Short Term Loan.

6 BY MR. BOURGET:

7 Q. This e-mail appears to be from
8 Dave Erickson to you and Tony Severin, dated
9 October 17th, 2018. Does that appear to be correct
10 -- oh, sorry --

11 A. Yes, yeah.

12 Q. And the subject line is "Short
13 term loan"; is that correct?

14 A. Yes, yes.

15 Q. Here the Defendant writes:

16 "I need \$30,000 for 90 days.
17 Please transfer it. I'll pay it
18 back by year end."

19 Did I read that correctly?

20 A. Yes.

21 Q. As far as you remember, did you
22 execute this transfer?

23 A. Yes.

24 Q. When the Defendant says, "I'll pay
25 it back by year end," do you recall whether the

1 Defendant repaid this amount?

2 A. I do not recall.

3 Q. Do you recall ever seeing
4 accounting entries or other evidence that the
5 Defendant was repaying the amounts that he was
6 directing you to loan to Halstead?

7 A. I don't recall seeing it.

8 Q. I'm showing you now what's marked
9 as Exhibit 16.

10 EXHIBIT NO. G-16: E-mail Chain from D.
11 Erickson to A. Zimmerman, et al, dated
12 December 28, 2016 Re: Transfer 112368.

13 BY MR. BOURGET:

14 Q. Now I want to move to the very
15 bottom. There's actually two sets of e-mails here,
16 so I'm going to start with the second set that's on
17 page 5 of the exhibit. And let me -- okay. I'll
18 try to bring this up on the screen so that it's
19 easier to see.

20 Okay. So this appears to be an e-mail
21 from you to Greg Elias and Rebecca Luis dated
22 December 28, 2016. Does that appear to be correct?

23 A. Yes.

24 Q. So we've established who Greg
25 Elias is. Who's Rebecca Luis?

1 A. At the time she worked for the
2 bank.

3 Q. Okay.

4 A. United Bank.

5 Q. You write:

6 "Happy Holidays to you and your
7 family..."

8 And at the next line, you write:

9 "Can you please urgently
10 process the following request for me
11 and let me know when it has been
12 sent? The Euro equivalent of U.S.
13 \$435,000.00 from Lloydsville
14 Corporation N.V. to: Paul T.
15 Eidsness and Associates..."

16 And then there's some banking
17 information.

18 And at the bottom reads:

19 "The reference for this is
20 'Real Estate Purchase'."

21 Did I read that correctly?

22 A. Yes.

23 Q. So, to start with, Lloydsville
24 Corporation NV, what is that entity?

25 A. It belongs to David van der Poel.

1 Q. Now, you mentioned that the
2 reference for this is real estate purchase. Do you
3 recall anything else about this transaction?

4 A. No, not specifically.

5 Q. Okay, I want to now move up to...
6 So now I want to show you, it looks like it's an
7 e-mail that's forwarded to you between Poppy
8 Hodge-Carol and Ms. Luis. Is Ms. Hodge-Carol
9 someone else who worked for the bank?

10 A. Yes.

11 Q. She writes to Rebecca Luis:

12 "Please be informed that below
13 transaction has been released. We
14 kindly request you to provide us
15 with the following information
16 and/or documents:

17 Where is the real estate located.

18 Is the real estate for personal use or
19 commercial.

20 Provide supporting documents."

21 Did I read that correctly?

22 A. Yes.

23 Q. And now, following that, here you
24 forward those questions to Defendant and Paul
25 Eidsness; is that correct?

1 A. Yes.

2 Q. You say:

3 "[...] please provide the
4 following for the bank, as you know
5 they are very nosy."

6 And you have the same three questions.
7 Did I read that correctly?

8 A. Yes.

9 Q. Was it common for the bank to
10 request information about transactions like this?

11 A. Yes.

12 Q. So you send that e-mail to
13 Defendant and Paul Eidsness, and the Defendant
14 responds on December 28, 2016:

15 "Real Estate is located in MN."
16 Minnesota.

17 "It is rental real estate.
18 Docs to follow after closing."

19 Did I read that correctly?

20 A. Yes.

21 Q. Now, at the time, did you know
22 which property was the subject of this transaction?

23 A. No. But I knew the address, but
24 that was it.

25 Q. Okay. And was the address

1 familiar to you at the time?

2 A. No, but I knew it from this
3 transaction.

4 Q. Okay. Do you now know which
5 property was subject to this transaction?

6 A. Yes.

7 Q. And what property was that?

8 A. The property that Mr. Erickson was
9 living in.

10 Q. Now, at the bottom of the e-mail
11 from the Defendant here, he says, "Docs to follow
12 after closing."

13 Do you recall ever receiving any
14 further documentation to provide to the bank?

15 A. I don't recall.

16 Q. So, changing subjects slightly, I
17 want to talk to you a little bit about company
18 credit cards.

19 Did Firefly issue credit cards to its
20 partners for business expenses?

21 A. Yes. Not all of them, but yes.

22 Q. Did Rypl issue credit cards to
23 various employees for business expenses?

24 A. Yes.

25 Q. Were you responsible for paying

1 the balances on these credit cards?

2 A. Yes.

3 Q. Did you have access to the monthly
4 statements?

5 A. Yes.

6 Q. And occasionally did some partners
7 or employees use the credit cards for miscellaneous
8 personal expenses?

9 A. Yes.

10 Q. And in reviewing those statements,
11 were you able to determine which expenses were
12 business-related and which were personal?

13 A. I would speak to them first.

14 Q. If the expenses were personal,
15 were the card holders generally required to
16 reimburse the company?

17 A. Yes. Not right away, but yes.

18 Q. What do you mean by "not right
19 away"?

20 A. There would be usually a
21 reconciliation of transactions after a few months,
22 whenever we got around to it -- not got around to
23 it, but...

24 Q. You weren't showing up at people's
25 doors to --

1 A. No, no.

2 Q. -- collect?

3 Now, is Ryan Maule a Firefly
4 shareholder?

5 A. No.

6 Q. Was Ryan Maule issued a Rypl
7 credit card?

8 A. Yes.

9 Q. Is Kevin Krieg a Firefly
10 shareholder?

11 A. No, I don't think so.

12 Q. Was Kevin Krieg issued a Rypl
13 credit card?

14 A. Yes.

15 Q. Was Chad Moldon issued a Rypl
16 credit card?

17 A. Yes.

18 Q. Was Tony Severin issued a Rypl
19 credit card?

20 A. Yes.

21 Q. Was David van der Poel issued a
22 Firefly credit card?

23 A. Yes.

24 Q. Was Toine Rodenburg issued a
25 Firefly credit card?

1 A. Yes.

2 Q. Did David Erickson have either a
3 Rypl or a Firefly card?

4 A. No.

5 Q. What did he use, if anything, for
6 his business expenses? How did he pay for them?

7 A. I only know of an Amex.

8 Q. Was that a personal card?

9 A. I am unaware.

10 Q. Was it a card that was issued by
11 Rypl?

12 A. No.

13 Q. Was it a card that was issued by
14 Firefly?

15 A. No.

16 Q. Did you have access to the monthly
17 statements for that card?

18 A. No.

19 Q. Did you ever ask him to provide
20 copies of those statements?

21 A. Yes.

22 Q. And did he provide them?

23 A. No.

24 Q. I want to show you what's been
25 marked as Government's Exhibit 14.

1 EXHIBIT NO. G-14: E-mail from D. Erickson to
2 A. Zimmerman, et al, dated January 21,
3 2015 Re: Amex.

4 BY MR. BOURGET:

5 Q. Here is an e-mail from Defendant
6 to you, Tony Severin copied, on January 21st, 2015.
7 Did I read that correctly?

8 A. Yes.

9 Q. And the subject line is "Amex,"
10 correct?

11 A. Yes.

12 Q. What do you understand "Amex" to
13 refer to?

14 A. The American Express card that
15 Mr. Erickson holds.

16 Q. Now, can you explain what you
17 understood the Defendant to be requesting in this
18 e-mail?

19 A. Yes. It is -- is requesting the
20 amount sent to Halstead bank.

21 Q. And was that for the purpose of
22 paying off the credit card?

23 A. Yes.

24 Q. And this amount here, \$158,460.78,
25 was that a monthly balance? If you know.

1 A. These requests came monthly, yes.

2 [Reporter sought clarification].

3 THE WITNESS: Requests came monthly.

4 BY MR. BOURGET:

5 Q. So, if you didn't have access to
6 his credit card statements, how did you know which
7 expenses on -- in these monthly amounts -- how did
8 you know what expenses to record as
9 business-related and which to record as personal?

10 A. I did not.

11 Q. So how were those transactions
12 recorded in the company's records?

13 A. I believe that they were recorded
14 either by Tony Severin or Mr. Erickson.

15 Q. Okay. Did any other shareholders
16 of Rypl or Firefly record or categorize their own
17 credit card transactions?

18 A. When I would show them the
19 statements, they would tell me if it...

20 Q. But did any other shareholder --

21 A. But not physically.

22 Q. I'm sorry, I didn't mean to
23 interrupt. Let me ask the question again.

24 Did any other shareholders of Rypl or
25 Firefly actually go into the company's ledgers to

1 categorize their expenses as business or personal?

2 A. No.

3 Q. So, we just went through, you
4 know, several e-mail requests from the Defendant to
5 you. How often, you know, between 2013 and 2019
6 did you receive requests for a payment or a loan to
7 Halstead Bay Holdings?

8 A. I mean, I can't remember exactly.
9 At least monthly.

10 Q. Now, do you recall at any point
11 seeing any indication in the company's books and
12 records that the Defendant had repaid any of the
13 money that he had received?

14 A. Not that I'm aware of.

15 Q. Do you recall ever seeing a
16 promissory note or a loan agreement indicating that
17 the Defendant had agreed to repay these amounts?

18 A. No, I haven't seen anything.

19 Q. As far as you know, was the
20 Defendant charged interest on any of the loans that
21 were sent to Halstead Bay?

22 A. I'm not aware of any.

23 Q. As far as you know, was any kind
24 of repayment schedule established?

25 A. I'm not aware.

1 MR. BOURGET: Okay, nothing further.

2 MR. MAUZY: Why don't we take a short
3 break so I can get organized?

4 MR. BOURGET: Yeah. We'll go off the
5 record.

6 THE VIDEOGRAPHER: Okay, one moment,
7 please.

8 This marks the end of media one and
9 we're going off the record at 10:02 a.m.

10 -- RECESS TAKEN AT 10:02 A.M. --

11 -- UPON RESUMING AT 10:09 A.M. --

12 THE VIDEOGRAPHER: This marks the
13 beginning of media unit two. We're back on the
14 record at 10:09 a.m. Go ahead, Counsel.

15 CROSS-EXAMINATION

16 BY MR. MAUZY:

17 Q. Good morning, Ms. Zimmerman. My
18 name is Bill Mauzy, with Will Dooling, and we
19 represent David Erickson.

20 A. Good morning.

21 Q. You were interviewed by the
22 government on December 14th, 2024; is that correct?

23 A. Yes, I believe so.

24 Q. And you were interviewed again on
25 May 8th, 2025?

1 A. Yes.

2 Q. Last week. At that interview you
3 were asked to review the memorandum of interview
4 prepared by the agents and asked if you make any
5 corrections; is that correct?

6 A. Yes.

7 Q. And you made some corrections?

8 A. Yes.

9 Q. And I can assume that if you
10 didn't make corrections, then you stand by the
11 assertions made in the interview and summarized in
12 that memorandum?

13 A. Yes.

14 Q. Correct?

15 A. Yes.

16 Q. Okay. You indicated as part of
17 your proffer that you didn't want to go to the
18 United States; is that correct?

19 A. Yes.

20 Q. Have you ever been to the United
21 States before?

22 A. Yes.

23 Q. Have you ever had any problems
24 going to the United States?

25 A. No.

1 Q. What is the reason you did not
2 want to go to the United States for the trial?

3 A. I was advised by my lawyer that --

4 Q. What was the reason?

5 MR. BOURGET: Objection.

6 BY MR. MAUZY:

7 Q. Well, do you have a reason not to
8 go?

9 A. Yes.

10 Q. What is the reason?

11 A. I was told that there was a
12 criminal court case.

13 Q. At the trial, you're refusing to
14 go to the trial?

15 A. No, it was just -- it was advised
16 by my lawyer that I was not --

17 Q. If you went to the trial, would
18 you give truthful testimony at the trial?

19 A. Yes.

20 Q. Do you have any concerns about
21 going to the United States of America?

22 A. Now? Yes.

23 Q. What are those concerns?

24 A. Just governmental concerns.

25 Q. What kind of governmental

1 concerns?

2 A. Tourists being searched at the
3 border.

4 Q. Was that the case on
5 December 14th, 2024?

6 A. No.

7 MR. BOURGET: Can I just note for the
8 record I believe that the interview was on
9 November 14, 2024.

10 BY MR. MAUZY:

11 Q. I'm sorry. November 14th, 2024,
12 you didn't have those problems, correct?

13 A. I don't believe so.

14 Q. Those are -- you're talking about
15 current problems?

16 A. Yes.

17 Q. Current-day problems in 2025?

18 A. Yes.

19 Q. You didn't have those problems on
20 December 14th, 2024?

21 A. No.

22 Q. Correct?

23 A. Correct.

24 Q. Okay. Have you met with the
25 government again after your meeting last week?

1 A. No. No.

2 Q. Did you talk to them yesterday?

3 A. No.

4 Q. Has anyone talked to you about the
5 deposition of Chad Moldon?

6 A. How so? I'm aware of it.

7 Q. All right. You knew he was
8 deposed. Did you know anything about the questions
9 that he was asked or the answers he gave at the
10 deposition?

11 A. No.

12 Q. You're the assistant controller at
13 Rypl; is that correct?

14 A. Yes.

15 Q. And you report to Tony Severin,
16 who's the controller, correct?

17 A. Yes.

18 Q. He is your boss?

19 A. My direct boss, yes.

20 Q. Your direct boss?

21 A. Uhm-hmm.

22 Q. You report directly to Tony
23 Severin?

24 A. Yes.

25 Q. Correct?

1 A. Yes.

2 Q. All right. I'm going to use my
3 copy of Government exhibits. Are you able to put
4 those up if I make that request?

5 MR. DOOLING: I'm happy to, sure. I
6 just need the cable.

7 Can we go off the record briefly?

8 Thank you.

9 THE VIDEOGRAPHER: Off the record at
10 10:13 a.m.

11 -- RECESS TAKEN AT 10:13 A.M. --

12 -- UPON RESUMING AT 10:14 A.M. --

13 THE VIDEOGRAPHER: We're back on the
14 record at 10:14 a.m. Go ahead, Counsel.

15 BY MR. MAUZY:

16 Q. I'm asking you again to look at
17 Government Exhibit 7. This is from Dave Erickson
18 to you and Johnny Chang.

19 A. Yes.

20 Q. Was Johnny Chang the controller at
21 that time in 2012?

22 A. Yes, he was.

23 Q. Did you report to him?

24 A. Technically, yes.

25 MR. MAUZY: Exhibit 10, please.

1 BY MR. MAUZY:

2 Q. Again, in the middle of the page,
3 is this from Dave to you and Tony Severin?

4 A. Yes.

5 Q. Tony Severin is your boss?

6 A. Yes.

7 Q. Did you discuss this request with
8 your boss?

9 A. I don't remember that.

10 Q. Did you usually discuss requests
11 with your boss?

12 A. Not for Mr. Erickson.

13 Q. Did Tony Severin ever disapprove
14 of any requests from Mr. Erickson?

15 A. Not that I'm aware of.

16 Q. He was clearly copied on every
17 request?

18 A. Yes.

19 Q. All right. Did you discuss the
20 request with Tony Severin?

21 A. Not that I remember.

22 Q. Did he ever object to the request?

23 A. Not that I remember.

24 Q. And if he objected to the request,
25 you would not have honored the request; is that

1 correct?

2 A. I would have honored it, yes.

3 Q. If Tony Severin said not to honor
4 it?

5 A. Yes.

6 Q. Did that ever happen?

7 A. No, not that I can remember.

8 Q. All right. Let's look at
9 Government Exhibit 12, please, an e-mail from Dave
10 Erickson. Was that to you and Tony Severin?

11 A. Yes.

12 Q. Tony Severin is your boss?

13 A. Yes.

14 Q. You received a copy of this
15 e-mail?

16 A. Yes.

17 Q. And this is a request for cash
18 advances from a corporate card, correct?

19 A. Correct, yes.

20 Q. And he received that, correct?

21 A. Who?

22 Q. Tony Severin.

23 A. Received this e-mail, yes. He's
24 cc'd on it.

25 Q. He's copied on it, right? Did he

1 object to the payment?

2 A. Not that I remember.

3 Q. Exhibit -- Government Exhibit 13.

4 This is an e-mail from Dave relating to tax
5 payments, January 6th, 2015. Is Tony Severin
6 copied on this e-mail to you?

7 A. Yes, he is.

8 Q. Did he object to this payment?

9 A. Not that I remember.

10 Q. He's your boss?

11 A. My direct boss, yes.

12 Q. Exhibit 15, please.

13 This is an e-mail from Dave Erickson to
14 you, and Tony Severin is copied on it. The subject
15 is a loan, correct?

16 A. Yes.

17 Q. Did Tony Severin object to the
18 issuing funds for a loan to Dave Erickson?

19 A. Not that I remember.

20 Q. Government's 17, e-mail May 3rd,
21 2017, referencing a loan from Dave Erickson to you
22 and Tony Severin.

23 A. Yes.

24 Q. Is that correct?

25 A. Yes.

1 Q. Tony Severin received a copy of
2 that as well as you?

3 A. Yes.

4 Q. Did he object to the transfer of
5 75,000 as a loan?

6 A. Not that I remember.

7 Q. Tony Severin was your direct boss?

8 A. Yes.

9 Q. Now looking at Government 18.
10 This is an e-mail from Dave Erickson dated
11 November 3rd, 2017, subject is "Loan," sent to you
12 and Tony Severin, correct?

13 A. Correct.

14 Q. And this is a request for a loan?

15 A. Yes.

16 Q. Did Tony Severin object to the
17 transfer of funds as a loan to Dave Erickson?

18 A. Not that I remember.

19 Q. Looking at Government Exhibit 19,
20 Dave Erickson e-mail to you and Tony Severin, dated
21 June 12th, 2017, subject: "Loan to Halstead"; do
22 you see that?

23 A. Yes.

24 Q. Did Tony Severin object to the
25 loan to Halstead and the transfer of the money?

1 A. Not that I remember.

2 Q. Looking at Exhibit 20, Government
3 Exhibit 20.

4 This is an e-mail from Dave Erickson
5 dated October 17, 2018, to Tony Severin and to you,
6 correct?

7 A. Yes.

8 Q. He refers to it as a "short term
9 loan," correct?

10 A. Yes.

11 Q. Did Tony Severin object to you
12 providing a loan to Dave Erickson for \$30,000?

13 A. Not that I remember.

14 Q. So the typical procedure was Dave
15 would request -- Dave Erickson would request a loan
16 or payments for credit card to you and Tony. You
17 would comply with his request?

18 A. Yes.

19 Q. Tony Severin never objected to
20 those requests?

21 A. Not that I can remember.

22 Q. Tony Severin always, as we've
23 seen, was copied and informed about those requests
24 from David Erickson, correct?

25 A. Yes.

1 Q. He was the controller?

2 A. Yes.

3 Q. He was your boss?

4 A. Direct boss, yes.

5 Q. And the funds that were utilized
6 for these payments to Dave Erickson that we looked
7 at through these exhibits were all funds from
8 Firefly; is that correct?

9 A. No, I believe that Rypl as well.

10 Q. Which ones were from Rypl?

11 A. I -- I wouldn't know by these
12 e-mails.

13 Q. Would the records reflect which of
14 these loans were from Firefly?

15 A. Which records? Our records?

16 Q. Yeah.

17 A. Yeah, the accounting system.

18 Q. Are you saying that loans to Dave
19 Erickson came from Rypl funds?

20 A. I -- I believe so. Sometimes,
21 yeah.

22 Q. When?

23 A. I don't have specific dates.

24 Q. But the funds that were utilized
25 to transfer to the shareholders from Firefly were

1 Firefly funds?

2 A. The Amex payments were not.

3 Q. Right. But the funds were all
4 from Firefly funds?

5 A. I'm not sure what you mean by "the
6 funds."

7 Q. Well, all of the loans that we
8 just reviewed, and I can go back through them one
9 by one --

10 A. I don't believe they're all
11 Firefly, no. But I can't tell you which
12 specifically are Firefly versus Rypl, based on
13 these e-mails.

14 Q. What would you have to do to
15 determine they're from Firefly?

16 A. I would have to go into our old
17 accounting software.

18 Q. To get funds from Firefly, you had
19 signature authority for that, correct?

20 A. I had one of two signatures, yes.

21 Q. And you had to get a second
22 signature from someone from United International
23 Bank?

24 A. Yes.

25 Q. Always, correct?

1 A. Yes.

2 Q. So to look at the funds received,
3 there would be records of those loans kept by
4 Firefly, correct?

5 A. I'm unaware of what was kept.

6 Q. You say you don't remember which
7 funds came from Firefly. But there would be
8 records at Rypl showing that the funds came from
9 Firefly when they came from Firefly, correct?

10 A. Yes.

11 Q. And you don't recall which, if
12 any, of these actually came from Rypl funds?

13 A. I mean, no, not based on these
14 e-mails.

15 Q. So you have the ability to
16 transfer money within the Firefly organization,
17 correct?

18 A. Currently, no.

19 Q. Pardon?

20 A. Currently, no.

21 Q. Between the period of time 2011 to
22 2021?

23 A. Not 2021.

24 Q. All right. What years did you
25 have the ability to transfer money within the

1 entire Firefly organization?

2 A. I would say prior to 2020.

3 Q. Okay. And when did you start
4 having that authorization?

5 A. I would have -- I would only be
6 guessing.

7 Q. Did you have it in 2011?

8 A. I don't know that.

9 Q. With these loans that we've looked
10 at, you clearly had the ability to transfer money
11 within the Firefly organization at that time?

12 A. Okay.

13 Q. Correct?

14 A. Again, I don't remember the exact
15 date.

16 Q. When you had control of these
17 accounts, you could authorize the transfer of funds
18 from the Firefly accounts for payments to Dave
19 Erickson and other shareholders, as long as there
20 was a second signature from an employee of United
21 International Bank; is that correct?

22 A. Yes.

23 Q. You always needed a second
24 signature to transfer funds from the Firefly
25 accounts, correct?

1 A. Correct.

2 Q. And that person was authorized to
3 transfer the funds?

4 A. Right. I assume so.

5 Q. And in what bank accounts was the
6 Firefly money held?

7 A. The accounts at United.

8 Q. United National Bank?

9 A. Yeah.

10 Q. And Greg Elias is the owner of
11 that bank?

12 A. I'm -- I'm not sure what his
13 position is.

14 Q. It's his bank?

15 A. Are you telling me?

16 Q. Is he affiliated with United
17 International Bank?

18 A. Yes.

19 Q. And you know that he's the owner
20 of that bank?

21 A. I don't know that he's the owner
22 of that bank.

23 Q. In your May 8th, 2025 interview,
24 did you tell the agents in the presence of your
25 lawyer, Charlotte Janssen, Amanda Scott, Boris

1 Bourget, Rusty Kiser, that Elias was the owner of
2 United International Bank?

3 A. I might have.

4 Q. All right. I'm handing you the
5 memorandum of interview dated May 8th, 2025, and
6 direct your attention to paragraph 2, please.

7 A. (Witness reviews document).

8 Q. Did you state: "The agent said
9 Elias was the owner of United International Bank"?

10 A. I must have.

11 Q. You did state that?

12 A. Okay.

13 Q. Well...

14 A. I mean, I don't -- I honestly
15 don't know if he owns it or he manages it.

16 Q. All right. You -- you were asked
17 to review your previous statement --

18 A. Yeah.

19 Q. -- where you said that he was the
20 owner of United International Bank. And then in
21 your statement on May 8th, 2025 -- I hand it to you
22 again -- at paragraph 2, you stated that he was the
23 owner of the bank.

24 A. Okay.

25 Q. Well, is that correct?

1 A. It's correct that it's written
2 there. I don't recall saying that but I must have
3 said it.

4 Q. All right. Do you deny saying
5 that to the agent?

6 A. No, I just don't remember saying
7 it.

8 Q. Is it true that he was the owner
9 of the bank?

10 MR. BOURGET: Objection, asked and
11 answered.

12 BY MR. MAUZY:

13 Q. Well, she hasn't answered it.

14 A. I'm unaware of his affiliation
15 with the bank.

16 Q. Why would you tell the agents that
17 he was the owner of the bank if you didn't know?

18 MR. BOURGET: Objection, asked and
19 answered.

20 THE WITNESS: Again, I don't
21 specifically remember saying that line.

22 BY MR. MAUZY:

23 Q. Okay.

24 A. He's a manager of some sort. I've
25 never met him. I don't know.

1 Q. All right. Let me show you your
2 -- show you your interview on October 14th, 2025,
3 and ask you to turn to paragraph 17.

4 A. Did you get the date wrong there?
5 I don't think it's -- 2024.

6 Q. Yeah, thank you.

7 A. Sorry, which paragraph, sir?

8 Q. 17.

9 A. 17. (Witness reviews document).
10 Sure.

11 Q. All right. It's easy to confuse
12 dates, but this is an interview on November 14th,
13 2024. I handed you a memorandum of interview and
14 you reviewed it. And at paragraph 17 you stated to
15 the agents that Gregory Elias works for United
16 International Trust and also owns United
17 International Trust -- UIB, United International
18 Bank?

19 MR. BOURGET: Objection. Improper
20 impeachment.

21 BY MR. MAUZY:

22 Q. Did you state on November 14th,
23 2025, to the agents interviewing you in the
24 presence of your lawyer, November 14th, 2024,
25 government lawyers, your lawyer, Charlotte Janssen,

1 all of those people, did you state Gregory Elias
2 works for United International Trust -- that's
3 UIT -- and also owns UIB?

4 A. I don't specifically recall saying
5 that.

6 Q. When you were interviewed on
7 May 8th, 2025, you were asked to review your
8 statement that you gave, as recorded in the
9 memorandum of interview, November 14th, 2024, and
10 make any corrections. You did not make that
11 correction. Are you saying you don't remember
12 saying that on November 14th, 2024?

13 A. No, I don't remember saying that.

14 Q. All right. And on May 8th, 2025,
15 you were asked to review this memorandum and make
16 corrections?

17 MR. BOURGET: Objection, asked and
18 answered.

19 BY MR. MAUZY:

20 Q. Did you make corrections?

21 MR. BOURGET: Objection, asked and
22 answered.

23

24

25

1 THE WITNESS: There were corrections
2 made, yes.

3 BY MR. MAUZY:

4 Q. Did you make corrections as to
5 paragraph 17 about Gregory Elias working for United
6 International Trust and also owning UIB?

7 A. No, I did not correct that.

8 Q. And not only did you not correct
9 it, but in paragraph 2 of the May 8th, 2025
10 interview, you stated Elias was the owner of UIB.
11 Did you say that?

12 MR. BOURGET: Objection, asked and
13 answered. Improper impeachment.

14 THE WITNESS: I don't -- I'm sorry.

15 BY MR. MAUZY:

16 Q. Can you answer that?

17 A. I don't recall saying that. But
18 if it says it there and I didn't correct it,
19 then...

20 Q. Then you said it?

21 A. Yes, I must have said it.

22 Q. And did you say -- make the
23 statement on May 8th, 2025, that Elias was the
24 owner of UIB?

25 A. I don't remember stating that.

1 THE VIDEOGRAPHER: Excuse me for
2 interrupting. Ms. Zimmerman, can you keep your
3 voice up, please.

4 THE WITNESS: Yes, sorry.

5 THE VIDEOGRAPHER: Thank you.

6 BY MR. MAUZY:

7 Q. And, generally, you were the
8 person requesting permission from UIB in Curacao to
9 transfer funds to Firefly shareholders, correct?

10 A. Would you repeat that, please?

11 Q. If a request came in from a
12 shareholder of Firefly, you usually were the one
13 requesting permission to move the money from United
14 International Bank in Curacao to the Firefly
15 shareholder?

16 A. I wasn't requesting permission.

17 Q. You had to get a second signature?

18 A. Yes.

19 Q. Without the second signature, you
20 could not move the money?

21 A. Correct.

22 Q. You had to have a second signature
23 from an employee with authority at United
24 International Bank?

25 A. I am not sure about the status of

1 who was --

2 Q. If you didn't get a second
3 signature, you could not move the money from United
4 International Bank; isn't that correct?

5 A. Correct.

6 Q. And in terms of which bank account
7 was being utilized to transfer the funds to the
8 shareholder, it was you that made the decision
9 which bank account to use?

10 A. No.

11 Q. Who made the decision?

12 A. Are we talking about Mr. Erickson
13 specifically?

14 Q. If a shareholder said he wanted a
15 loan, and you were going to United International
16 Bank, you knew which account to utilize for a
17 transfer of funds from Firefly?

18 A. Yes.

19 Q. No one had to direct you which
20 bank to go to?

21 A. No.

22 Q. And you weren't directed which
23 bank to go to?

24 A. Sometimes.

25 Q. You knew which bank to go to for

1 the funds, there's only one bank, United
2 International Bank, correct?

3 A. There was also a bank called
4 Alexandria. I'm not sure where it was, though. We
5 had it for a short period of time.

6 Q. And then that was closed?

7 A. It was closed a while ago, yes.

8 Q. So all of the funds from Firefly,
9 funds that were transferred to shareholders, came
10 from the accounts in Curacao in United
11 International Bank; isn't that correct?

12 A. If it was a Firefly matter, yes.

13 Q. If it was Firefly funds, it came
14 from United International Bank, correct?

15 A. Yes.

16 Q. Dave Erickson does not have
17 signature authority on that Firefly account?

18 A. Is that a question?

19 Q. Yes.

20 A. I don't have any idea about that.

21 Q. That's your answer, right?

22 A. Yeah.

23 Q. Does Erickson have signing
24 authority on Rypl bank accounts?

25 A. No.

1 Q. To obtain any money from Rypl, if
2 he did, he couldn't transfer it on his own
3 signature, correct?

4 A. Correct.

5 Q. You, in fact, had a lot of
6 communications with Gregory Elias because you
7 needed two signatures to move money out of
8 UIB account; is that correct?

9 A. No.

10 Q. You needed two signatures to move
11 money out of the UIB account?

12 A. Yes.

13 Q. And the other signature was an
14 employee of Greg Elias, correct?

15 A. Yes.

16 Q. And it was the UIB account that
17 the shareholder advances that you've talked about
18 came out of; is that correct?

19 A. Yes.

20 Q. Yes?

21 A. Yes.

22 Q. You had the ability to review the
23 balances in Bannister's account, correct?

24 A. I am not sure about that.

25 Q. I'm asking if you could view the

1 accounts.

2 A. Right. I believe it's set up,
3 yes.

4 Q. Let me show you your
5 November 14th, 2025 (verbatim) interview and ask
6 you to look at paragraph 14 relating to Bannister.

7 A. (Witness reviews document). I
8 believe I have viewing ability on all of the
9 accounts that are at...

10 Q. You had viewing ability of all of
11 the accounts at United International Bank?

12 A. I mean, not all the accounts but a
13 number of accounts.

14 Q. Relating to Firefly?

15 A. I believe so.

16 Q. Okay. Before Tony Severin became
17 controller, was Dave Erickson more involved day to
18 day with Rypl than after Tony Severin came on
19 board?

20 A. Yes.

21 Q. The accounting situation was, to
22 describe it charitably, a bit of a mess when Tony
23 was hired?

24 A. Yes.

25 Q. And it took Tony some time to

1 untangle the mess?

2 A. I believe so.

3 Q. And he was able to straighten out
4 the accounting and records at Rypl?

5 A. I'm not sure what he did.

6 Q. But he was able to straighten out
7 the accounting?

8 MR. BOURGET: Objection, asked and
9 answered. Lack of personal knowledge.

10 BY MR. MAUZY:

11 Q. Was the accounting in better shape
12 after Tony Severin took over than it was before
13 Tony Severin took over?

14 A. Yes.

15 Q. And became much more orderly after
16 he took over?

17 A. When we got the new software, yes.

18 Q. With the new software, it became
19 much more orderly?

20 A. Yes.

21 Q. And you were able to do a better
22 job of accounting?

23 A. Yes.

24 Q. Better job of recordkeeping?

25 A. Yes.

1 Q. When Tony Severin came on board at
2 Rypl, you reported directly to him?

3 A. Yes.

4 Q. He is the controller of the
5 company?

6 A. Yes.

7 Q. He is your direct boss?

8 A. Yes.

9 Q. He could override any decision
10 that you made?

11 A. I don't really make decisions, but
12 yes.

13 Q. Do you make any accounting
14 decisions?

15 A. As far as transferring funds?

16 Q. Yes.

17 A. No.

18 Q. You're simply a person who carries
19 out instructions?

20 A. Mostly, yes.

21 Q. You do not have a decision-making
22 role; is that correct?

23 A. Correct.

24 Q. You do have the responsibility,
25 though, to record those transfers?

1 A. Yes, in most cases.

2 Q. And all of these transfers, in
3 fact, were recorded on the books of Rypl?

4 A. I am not aware.

5 Q. You would -- if a shareholder
6 asked you for a loan, you would record that
7 transaction if a loan was made?

8 A. If I was doing that job at the
9 time, yes.

10 Q. Yeah, yeah, if it came to you. If
11 you got an e-mail from a shareholder saying he
12 wanted a loan --

13 A. Uhm-hmm.

14 Q. -- and you transferred funds from
15 United International Bank to pay for that loan, you
16 would record that transaction?

17 A. We had AP clerks to do that.

18 Q. But that transaction was recorded?

19 A. I mean, I would assume so.

20 Q. You would ask them to record it,
21 correct?

22 A. I'm not their boss.

23 Q. Who's their boss?

24 A. Tony Severin was the accounting
25 boss.

1 Q. All right. So Tony Severin would
2 make sure that the loans were recorded properly,
3 correct?

4 A. I -- I wouldn't know.

5 Q. Well, who would know? Tony
6 Severin?

7 A. Yes.

8 Q. Is Firefly Rypl's only customer?

9 A. No.

10 Q. What other customers do you have?

11 A. Granity Entertainment.

12 Q. And that's associated with
13 Firefly?

14 A. Yes.

15 Q. What other customers?

16 A. Then, at that time? I don't have
17 memory back that far.

18 Q. Tony Severin, as controller of the
19 company, is responsible for the accounting,
20 correct?

21 A. Yes.

22 Q. He is responsible for making sure
23 that any payments of expenses are made, are taken
24 care of and properly recorded?

25 A. I -- that would be a question for

1 Tony.

2 Q. Is that your belief? If anyone is
3 responsible at Rypl, it would be Tony Severin,
4 responsible for taking -- keeping track of these
5 payments that were made to shareholders, correct?

6 A. Yes.

7 Q. Ultimately, he's the person
8 responsible for coding these transactions; that is,
9 whatever they are, are they loans? Are they
10 payment of credit cards?

11 A. He would review the statements at
12 the end of the month.

13 Q. Okay. So all of the payments that
14 were made, he would review at the end of the month?

15 MR. BOURGET: Objection, lack of
16 personal knowledge.

17 BY MR. MAUZY:

18 Q. Is that your belief?

19 MR. BOURGET: You can answer.

20 THE WITNESS: Yeah. Yes, he created
21 the financial statements.

22 BY MR. MAUZY:

23 Q. Right. So he would review the
24 payments of expenses, and keep track of that each
25 month, correct?

1 A. I would assume so.

2 Q. That's his job as controller?

3 A. Yes.

4 Q. He's in charge of accounting.

5 You are not responsible to determine
6 whether any of these loans to shareholders were
7 approved?

8 A. Correct.

9 Q. Dave Erickson frequently requested
10 money from Firefly, correct?

11 A. Yes, he has, yes.

12 Q. I'm going to show you Defense
13 Exhibit 13. Would you review that, please?

14 A. Okay.

15 Q. Do you recognize this as an e-mail
16 from Dave Erickson to you and Tony Severin, dated
17 December 5th, 2017? It references a loan to
18 Halstead.

19 A. Yes.

20 Q. And you frequently received this
21 type of request?

22 A. Correct.

23 Q. You would have received this
24 request?

25 A. Yes.

1 Q. And after you received the
2 request, what would you do mechanically? What did
3 you do?

4 A. I would execute the payment from
5 the bank account.

6 Q. Okay. In United International
7 Bank account?

8 A. It doesn't specifically say on
9 that e-mail, so I wouldn't remember.

10 Q. Okay. There's no direction to you
11 on this e-mail?

12 A. Correct.

13 Q. Generally, you would utilize
14 United International Bank to transfer funds; is
15 that fair to say?

16 A. And Rypl as well, yes.

17 Q. But you don't remember on this
18 one?

19 A. No.

20 Q. I'm showing you 14, Defense
21 Exhibit 14.

22 Is this an e-mail from Dave Erickson to
23 you and Tony Severin, May 3rd, 2017, with the
24 subject, "Loan"?

25 A. Yes.

1 Q. And does he request sending 75,000
2 to Halstead as a loan when you have the funds
3 available?

4 A. Yes.

5 Q. Were these funds transferred?

6 A. I believe they would have been,
7 yeah.

8 Q. And were they transferred from
9 United International Bank?

10 A. I -- I don't have any recollection
11 of where they were specifically.

12 Q. But Tony Severin would know that,
13 correct?

14 A. Yes.

15 Q. When you paid money on behalf of
16 Firefly, Firefly paid Rypl for your services,
17 correct?

18 A. Sorry, could you repeat...

19 Q. Yeah. Did Rypl pay you when you
20 paid the expenses of Firefly?

21 A. I'm not sure what that means. Did
22 Rypl...

23 Q. Were you compensated by Firefly?

24 A. As in my payroll? I worked for
25 Rypl.

1 Q. Was Rypl -- yeah, was Rypl
2 compensated by Firefly?

3 A. I'm not sure.

4 Q. All right. I'm going to show you
5 Defendant's Exhibit 15.

6 A. Okay.

7 Q. Is this an e-mail from Dave
8 Erickson on March 7th, 2017 to you, copy to Tony
9 Severin, subject is a "Loan," with a request to
10 send 50,000 to Halstead Bay as a loan?

11 A. Yes.

12 Q. And you recognize that, do you?

13 A. Not specifically, but yes.

14 Q. You know you would have received
15 that?

16 A. Yes.

17 Q. All right. What did you do after
18 receiving that e-mail?

19 A. I would have executed the payment.

20 Q. All right. And that would have
21 come from United International Bank?

22 A. I'm not sure.

23 Q. You don't remember?

24 A. No.

25 Q. I'm showing you Defense

1 Exhibit 16, an e-mail from Dave Erickson,
2 October 10th, 2019, to Tony Severin and Amanda,
3 reference "Advance For Legal Costs"?

4 A. Sorry, I think this is the wrong
5 -- oh, it's double-sided, okay. Sorry, go ahead.

6 Q. Do you have Defendant's 16 in
7 front of you?

8 A. Yes.

9 Q. Is this an e-mail from Dave
10 Erickson, October 10th, 2019, to Tony Severin and
11 you?

12 A. Yes.

13 Q. Referencing "Advance For Legal
14 Costs"?

15 A. Yes.

16 Q. And asking, "Please send \$10,000
17 to Halstead"?

18 A. Yes.

19 Q. And you recall that?

20 A. No.

21 Q. Did you follow -- you recognize
22 that as something you would have received then?

23 A. I recognize that, yes, yes.

24 Q. And did you follow up? Did you
25 send 10,000 to Halstead?

1 A. I would have, yes.

2 Q. Did that money come from United
3 International Bank?

4 A. I'm not aware of which account.

5 Q. I'm going to show you what's been
6 marked as Defendant's Exhibit D-17, and ask you if
7 that is an e-mail from Dave Erickson,
8 February 25th, 2018, to Tony Severin and to you,
9 regarding Amex, with a request to send another
10 25,000 as a loan.

11 A. Yes.

12 Q. All right. And this would have
13 been received by you?

14 A. Yes.

15 Q. All right. And did you follow
16 that request by Dave Erickson for the 25,000 as a
17 loan?

18 A. Yes, I would have.

19 Q. And that would have been from
20 United International Bank?

21 A. If it's Amex-related, it would
22 have been from Rypl.

23 Q. Okay. And how did that work, from
24 Rypl?

25 A. What part?

1 Q. How did the payment work from
2 Rypl?

3 A. I had online access to the
4 commercial banking, so payment would be sent to
5 them.

6 Q. And you would send this money from
7 Rypl?

8 A. Amex-related, I know always came
9 from Rypl.

10 Q. Okay. Amex was always from Rypl?

11 A. Yes.

12 Q. Okay. Did David send you -- David
13 Erickson send you a spreadsheet at the end of the
14 month, identifying business expenses?

15 A. No.

16 Q. You never received a spreadsheet
17 from him?

18 A. Me, personally?

19 Q. Yeah.

20 A. I don't believe so.

21 Q. Did Tony Severin receive it?

22 A. I'm not sure what Tony received.

23 Q. So you don't know if Tony
24 Severin received --

25 A. Correct.

1 Q. -- any sort of spreadsheet from
2 David on his expenses?

3 A. Correct.

4 Q. I show you Defense Exhibit 18;
5 it's an e-mail from Dave Erickson to Tony Severin.
6 You were copied on it. It's February 26th, 2018,
7 regarding Amex.

8 A. (Witness reviews document).
9 Uhm-hmm.

10 Q. And you would have received that,
11 correct?

12 A. Yes.

13 Q. You recognize that?

14 A. Yes.

15 Q. There's a reference to a Pierre.
16 Do you know who Pierre is?

17 A. Yeah. He worked for the outside
18 accounting firm.

19 Q. Okay. Is he a tax specialist in
20 Canada?

21 A. I'm not sure what his...

22 Q. Was he an accountant?

23 A. Yes.

24 Q. Okay. So he is an accountant who
25 worked for Rypl as an outside accountant?

1 A. Yes.

2 Q. Is that correct?

3 A. Yes.

4 Q. Also:

5 "Hi Amanda."

6 It says:

7 "Please pay from Rypl and code
8 to new account..."

9 This is from Tony to you?

10 A. Uhm-hmm.

11 Q. "Please pay from Rypl and code
12 to new account 14360 and Shareholder
13 Advance."

14 A. Yes.

15 Q. Did you do that?

16 A. I, or one of the clerks, would
17 have probably done that, yes.

18 Q. So this would have gone as a
19 shareholder advance, correct?

20 A. I mean, that's what it says here.
21 I'm not -- off the top of my head, I don't know
22 what that code is for.

23 Q. Do you know what the new account,
24 14360, references?

25 A. No.

1 Q. You talked about the shareholders
2 for Firefly. Do you recognize the four major
3 shareholders as David van der Poel, David Erickson,
4 Toine Rodenburg, Richard Burry? And those were the
5 four main ones: van der Poel, Erickson, Rodenburg
6 and Burry, correct?

7 A. I believe so, yes.

8 Q. And also, shareholders at some
9 point, Chad Moldon, Paul Eidsness, Ryan Maule and
10 Kevin Krieg?

11 A. Yes, I believe so.

12 Q. And those were sort of the
13 minority shareholders?

14 A. Correct.

15 Q. Major shareholders were the four
16 that I listed at first, correct?

17 A. Yes.

18 Q. And the so-called shareholder
19 dividends, those were generally advances, treated
20 as advances, correct?

21 A. Correct.

22 Q. And advances are something that
23 has to be paid back eventually, correct?

24 A. If they were advances on
25 dividends, yes, they would have been.

1 Q. All right. And you understood
2 that advances on dividends needed to be paid back
3 eventually?

4 A. They would have been taken from
5 dividends, once they were declared, yes.

6 Q. So the shareholder advances would
7 be paid from dividends, once dividends were
8 declared?

9 A. The dividend advances, yes.

10 Q. And to your knowledge, there was
11 no dividend declared during the period of time when
12 you were actively involved, before 2019?

13 A. I'm not sure.

14 Q. You don't know or you have to...

15 A. I don't know. I wouldn't have
16 been involved in that part.

17 Q. Okay. You were out of the loop on
18 that?

19 A. Right. I mean, I don't calculate
20 the dividends for the company.

21 Q. Okay. You don't know if there
22 were any dividends issued during that time period?

23 A. I do not, no.

24 Q. You don't know if there were any
25 resolutions --

1 A. No.

2 Q. -- at that time?

3 A. I don't remember any.

4 Q. Is it fair to say that you use the
5 term "advances on dividends" and "advances" as
6 being the same thing?

7 A. No.

8 Q. What's the difference between the
9 two?

10 A. "Advances on dividends" I would
11 understand to be deducted from the dividends, once
12 they were declared.

13 Just regular advances, I am not aware
14 of what happened with those.

15 Q. Are advances loans?

16 A. Yes.

17 Q. I'm going to show you Defense
18 Exhibit 19. Do you recognize this as an e-mail
19 from Dave Erickson to you and to Tony Severin,
20 dated August 27th, 2014?

21 A. (Witness reviews document). Yes.

22 Q. And this relates to payments to
23 Richard Burry?

24 A. Yes.

25 Q. And Richard Burry was one of the

1 major shareholders?

2 A. Yes.

3 Q. And does Dave say he's "reviewed
4 Richard's payments and have the following
5 requests"?

6 A. Yes.

7 Q. "...stop paying him \$10,000
8 wire to SmartVu"?

9 A. Yes.

10 Q. "Please send me the account
11 name that you have been using to
12 book his advances"?

13 A. Yes.

14 Q. So you had an account that would
15 book Richard Burry's advances?

16 A. I believe it would be booked to
17 his -- I can't remember, sorry.

18 Q. All right. But that's what he
19 asked you, he'd been using to book his advances?

20 A. Yes.

21 Q. And he asks you to confirm that
22 SmartVu has received only \$10,000 each month and no
23 Euro payments?

24 A. Correct.

25 Q. And he asked you to confirm that

1 the total of these payments since February 2013 is
2 160,000?

3 A. Yes.

4 Q. All right. In your recordkeeping
5 at Rypl, you were able to respond to this request
6 by Dave, were you not?

7 A. I believe so, yeah.

8 Q. So you kept records, right?

9 A. Yes.

10 Q. I'm showing you Defendant's
11 Exhibit 4. Do you recognize this as an e-mail from
12 Dave Erickson to you and David van der Poel, Tony
13 Severin and Chad Moldon, dated August 28th, 2014,
14 "Subject: Advances to Chad"?

15 A. Yes.

16 Q. Do you recognize this document?

17 A. Not specifically but, yes.

18 Q. This is the type of document --

19 A. Yes.

20 Q. -- that you did receive --

21 A. Yes.

22 Q. -- and would have been kept as a
23 business record, correct?

24 A. Yes.

25 Q. And Dave asks you to reconcile

1 advances to Chad, correct?

2 A. Yes.

3 Q. Including any activity between
4 David and Chad or any other source?

5 A. Correct.

6 Q. He says:

7 "I leave it to you all. Please
8 send me a copy of the final
9 spreadsheet."

10 A. Yes.

11 Q. So somewhere within Rypl, there
12 was an account that reconciled and recorded all of
13 the advances that were transferred from Firefly to
14 Chad, correct?

15 A. No. This would have been in
16 reference to Chad's credit card with Rypl being
17 used.

18 Q. Okay. Was there a record kept of
19 his credit card being used?

20 A. Yes.

21 Q. All right. And that was kept
22 within Rypl?

23 A. Yes.

24 Q. So where would you have looked for
25 the credit card records?

1 A. I'm not sure what you mean.

2 Q. Well, he's asking you to reconcile
3 the advances to Chad. Where would you or Tony look
4 to accomplish the task of reconciling?

5 A. Chad has a shareholder ledger
6 account that his personal expenses would be coded
7 to.

8 Q. Okay. And that's a shareholder
9 account for Firefly?

10 A. No, Rypl.

11 Q. For Rypl?

12 A. Yes.

13 Q. Okay. And there would be a record
14 of all of the advances from Rypl to him, including
15 credit cards?

16 A. Yes.

17 Q. Did he have a shareholder account
18 relating to Firefly?

19 A. I don't believe -- I'm not sure.

20 Q. All right. Tony Severin would
21 know that?

22 A. Yes, I would believe so.

23 Q. And Chad also -- Chad Moldon also
24 got advances from Firefly; is that correct?

25 A. No, I don't believe he was ever

1 advanced from Firefly.

2 Q. You know that?

3 A. No, I don't know that 100 percent.

4 But that would be atypical.

5 Q. Okay. Would Tony Severin know
6 that?

7 A. Yes.

8 Q. Would Chad Moldon know that?

9 A. Perhaps.

10 MR. BOURGET: Objection, personal knowledge.

11 BY MR. MAUZY:

12 Q. You would assume Chad Moldon would
13 know his own advances, right?

14 MR. BOURGET: Same objection.

15 BY MR. MAUZY:

16 Q. Is that correct?

17 A. Would he know which bank it was
18 sent from?

19 Q. No, would he --

20 A. I -- I don't believe so.

21 Q. Would he know when he received an
22 advance?

23 A. Of course, yes.

24 Q. In terms of shareholder requests,
25 we looked at a number of shareholder requests

1 directly from David Erickson, correct?

2 A. Yes.

3 Q. Did other shareholders make
4 similar requests?

5 A. Not directly to me.

6 Q. I'm going to show you Defense
7 Exhibit 20. Do you recognize this as an e-mail
8 from Toine Rodenburg dated June 16th, 2016,
9 regarding an invoice payment by Firefly to you,
10 copying Dave Erickson?

11 A. Yes.

12 Q. And you send Mr. Rodenburg an
13 e-mail saying:

14 "I will let you know if the
15 bank requires any additional
16 [information] from you"?

17 A. Correct.

18 Q. And he -- turn the page over, he
19 is asking you to pay the attached invoice from
20 Firefly?

21 A. Correct.

22 Q. So Firefly funds would be utilized
23 to pay that invoice?

24 A. Yes.

25 Q. All right. And this type of

1 request from Mr. Rodenburg was not unusual; am I
2 correct?

3 A. It was unusual, yes.

4 Q. But you received other requests
5 from Mr. Rodenburg for advances?

6 A. Very rare --

7 MR. BOURGET: Objection,
8 mischaracterizes the testimony. I don't think
9 there was any testimony these were advances.

10 MR. MAUZY: Is that a speaking
11 objection? I object to your speaking objection.

12 BY MR. MAUZY:

13 Q. Were there advances to Toine Rodenburg?

14 A. Yes.

15 Q. And those advances were from
16 Firefly?

17 A. From the Firefly credit card, yes.

18 Q. I show you what's been marked as
19 Defendant's Exhibit 21.

20 EXHIBIT NO. D-21: E-mail from D. Erickson
21 et al, to T. Severin dated May 30,
22 2018, Re: Transfer.

23 BY MR. MAUZY:

24 Q. This is a couple of e-mails, an
25 e-mail from Dave Erickson to Tony Severin and you,

1 related to a transfer dated May 29th, 2018. And
2 then a response e-mail from Tony to Dave dated
3 May 30th, 2018, which you are copied on. I ask you
4 to take a look at that.

5 A. (Witness reviews document). Okay.

6 Q. Is that a request to transfer a
7 hundred thousand from Lloydsville?

8 A. Yes.

9 Q. To transfer a hundred thousand
10 from Firefly to Lloydsville?

11 A. (Witness reviews document). Yes.

12 Q. And it references a loan?

13 A. Yes.

14 Q. And Lloydsville is associated with
15 David van der Poel?

16 A. Correct.

17 Q. This would be a loan to his
18 company, Lloydsville, correct?

19 A. I don't know the -- from this
20 e-mail, it seems that the loan was between
21 Lloydsville and 10Q21.

22 Q. And 10Q21 is Toine Rodenburg?

23 A. Yes.

24 Q. So this is a request to transfer
25 from Lloydsville associated with David van der Poel

1 to 10Q21 associated with Toine Rodenburg?

2 A. Correct.

3 Q. And the reference is a loan?

4 A. Yes.

5 Q. And at the bottom of the page, it
6 says:

7 "Then we need to get 100k from
8 Firefly to Lloydsville..."

9 Correct?

10 A. Yes.

11 Q. And does Tony say to Dave:

12 "Okay, we can do this..."?

13 A. Yes.

14 Q. And he says:

15 "Please send the money
16 immediately."

17 Correct?

18 A. (Witness reviews document). Yes.

19 Q. So in this case, this is a request
20 for a transfer from one shareholder to another
21 shareholder, from Firefly funds?

22 A. Yes.

23 Q. And that was a hundred thousand
24 dollars?

25 A. Yes.

Page 111

1 Q. I'm going to show you what's been
2 marked as Defendant's Exhibit 22, it's exactly four
3 pages. If you can review that.

4 EXHIBIT NO. D-22: E-mail Chain from
5 D. Erickson to A. Zimmerman, et al, dated
6 August 27, 2014, Re: Loan.

7 BY MR. MAUZY:

8 Q. We start at page 3, Paul
9 Eidsness's e-mail, bottom of page 3.

10 A. Yeah.

11 Q. He says -- Paul Eidsness was a
12 shareholder?

13 A. Yeah, I believe so.

14 Q. Of Firefly?

15 A. Yes.

16 Q. And you recognize these e-mails,
17 correct?

18 A. Yes.

19 Q. You would have received these in
20 the normal course of business?

21 A. Yes.

22 Q. Paul Eidsness requests a hundred
23 and twenty-five thousand dollar advance for the
24 purchase of a house?

25 A. Yes.

Page 112

1 Q. He was a shareholder of Firefly?

2 A. I'm not sure about this timing.

3 I'm unsure when he became a partner.

4 Q. And the next e-mail in the chain
5 is from Dave Erickson to Paul Eidsness?

6 A. Yes.

7 Q. And Dave Erickson says:

8 "Cool. We have the old guys
9 meeting tomorrow. I'll ask for an
10 approval."

11 Does he say that?

12 A. Yes.

13 Q. Do you know who the "old guys"
14 are?

15 A. No.

16 Q. Are the "old guys" David van der
17 Poel, Dave Erickson, Toine Rodenburg and Richard
18 Burry?

19 MR. BOURGET: Objection, personal
20 knowledge. She's already said she doesn't know.

21 BY MR. MAUZY:

22 Q. You can answer.

23 A. They're old people. I don't know
24 if they're part of this.

25 Q. You don't know who he's referring

1 to?

2 A. Correct.

3 Q. But he's asking for a meeting of
4 "old guys" and "I'll ask for an approval"?

5 A. Yes.

6 Q. Or "ask for approval." All right.

7 Now, Paul's response in that e-mail
8 chain, regarding "Advance" that he sent from Paul
9 Eidsness to Dave Erickson. He says:

10 "Thank you kindly. I have my
11 house in Excelsior to sell in the
12 Spring, after the lease is up."

13 He says:

14 "I have 200k in equity [...]
15 at today's prices."

16 That's from Paul Eidsness, correct?

17 A. Yes.

18 Q. Dave Erickson on August 27th, 2014
19 states to Paul Eidsness:

20 "This is approved. Please send
21 wire instructions."

22 A. Yes.

23 Q. And that's August 27th?

24 A. Yes.

25 Q. And that's the day after the

1 August 26th e-mail where Dave Erickson says he'll
2 have an "old guys" meeting tomorrow, which would
3 have been August 27th, correct?

4 A. Yes.

5 Q. And he says it at -- in the
6 August 27th e-mail, it's been approved?

7 A. Okay. I mean, I'm not copied on
8 any of these so...

9 Q. Right. Look at the first page of
10 the chain.

11 A. Yes, yeah, right.

12 Q. The first page of the chain --

13 A. Yes.

14 Q. -- Dave Erickson to you, Tony
15 Severin and Paul Eidsness, regarding loan, from
16 Dave, says:

17 "Please send Paul \$125,000 to
18 the account that he will advise you
19 of."

20 The reference is "Loan," correct?

21 A. Correct.

22 Q. I'm going to hand you Defense
23 Exhibit 23.

24 EXHIBIT NO. D-23: E-mail from D. Erickson
25 to A. Zimmerman, et al, dated September

1 29, 2016 Re: Loan.

2 BY MR. MAUZY:

3 Q. An e-mail from Dave Erickson,
4 dated September 29th, 2016, to you and to Tony
5 Severin. The subject is a "Loan."

6 A. Yes.

7 Q. Correct?

8 A. Yes.

9 Q. You recognize this?

10 A. Yes.

11 Q. Asks you to send \$6,000 to
12 Halstead. It says:

13 "It is a loan. More divorce
14 legal fees."

15 Correct?

16 A. Correct.

17 Q. And was that money sent?

18 A. I believe it would have been.

19 Q. And was that from United
20 International Bank?

21 A. I'm not sure where it would have
22 come from.

23 Q. Tony -- Tony Severin would know?

24 A. Yes.

25 Q. Pardon?

1 A. Yes.

2 Q. That wasn't your job?

3 A. No.

4 Q. True?

5 A. What wasn't my job?

6 Q. The coding, coding.

7 A. Coding? Sometimes, yes.

8 Q. All right. Was it your job to
9 determine -- when I asked you the question relating
10 to Defendant's Exhibit 23, "Please send 6,000 to
11 Halstead," you assume that you would have gotten
12 that from United International Bank transfer?

13 A. No, I said I don't remember where
14 that would come from.

15 Q. And Tony Severin would know?

16 A. I would assume so.

17 Q. And he would be in charge of the
18 accounting for that transfer?

19 A. Yes.

20 Q. All right. You're not a
21 shareholder of Rypl?

22 A. No, I'm not.

23 Q. You're not a shareholder of
24 Firefly?

25 A. No.

1 Q. You have never reviewed the
2 Firefly shareholder agreement?

3 A. I'm sure I've seen it.

4 Q. The shareholder agreement?

5 A. I'm sure at some point I have seen
6 it, yes.

7 EXHIBIT NO. D-50: Firefly Lane, LTD.,
8 Shareholders Agreement dated July 1, 2009.

9 BY MR. MAUZY:

10 Q. I'm going to hand you what's been
11 marked as Defendant's Exhibit 50, and ask you if
12 you recognize that as a shareholder agreement.

13 A. It looks like a shareholder's
14 agreement.

15 Q. And that's a shareholder agreement
16 you're referring to?

17 A. I -- I don't remember --

18 Q. All right.

19 A. -- which one I've seen.

20 Q. All right. You saw a shareholder
21 agreement?

22 A. I'm sure I would have, yes.

23 Q. Okay.

24 A. At some point in my 20 years.

25 Q. Right. In your 20 years, you

1 would have reviewed that shareholder agreement,
2 correct?

3 A. I would have seen it, yes.

4 Q. You would have seen it?

5 A. Yes.

6 Q. Okay. Well, let's talk about the
7 shareholder agreement.

8 Were you aware that in the shareholder
9 agreement, the shareholders were authorized to take
10 interest-free loans?

11 MR. BOURGET: Objection, personal
12 knowledge.

13 When I make an objection, you can feel
14 free to answer. I'm just preserving it for the
15 record.

16 THE WITNESS: Oh, I see. Sorry. Can
17 you repeat the question?

18 BY MR. MAUZY:

19 Q. Yes. In the shareholder agreement
20 that you would have seen at Rypl, that's a Firefly
21 Lane shareholder agreement, were you aware that the
22 shareholders were authorized to take shareholder
23 loans?

24 MR. BOURGET: Same objection.

25 THE WITNESS: Not aware of anything

1 specific in the shareholder agreements. I don't
2 remember anything about that.

3 BY MR. MAUZY:

4 Q. Looking at Section 9.5 of
5 Defendant's Exhibit 50, I ask you to review that
6 and see if there's a reference to a shareholder
7 agreement.

8 A. (Witness reviews document).
9 Sorry, this whole section here?

10 Q. 9.5.

11 A. Oh, 9.5, okay. Okay.

12 Q. Does that reference interest-free
13 loans?

14 A. Yes.

15 Q. And this was an agreement that was
16 at Rypl, correct?

17 A. What do you mean?

18 Q. Well, it was part of the records
19 of Rypl that you were able to review?

20 A. At one point, I'm sure, yes. I
21 don't specifically remember.

22 Q. But you saw it at Rypl?

23 A. I don't specifically remember
24 seeing that.

25 Q. But you believe you've reviewed

1 it, looked at it?

2 A. I believe I probably would have
3 forwarded it to a bank or something.

4 Q. Correct.

5 A. Yeah.

6 Q. So -- but to forward it to a bank,
7 you'd have to have it in the Rypl records, correct?

8 A. Yes.

9 Q. So it was in the Rypl records?

10 A. I would guess so, yes.

11 Q. And you don't personally know what
12 shareholders agree to when you're not present --

13 A. Correct.

14 Q. -- correct?

15 You did not attend any shareholder
16 meetings?

17 A. No, I did not.

18 Q. You're not on every e-mail that
19 the shareholders exchange among themselves?

20 A. Correct.

21 Q. So, in terms of who authorized the
22 loans to Dave Erickson, you have no personal
23 knowledge, correct?

24 A. Correct.

25 Q. And in terms of who authorized the

Page 121

1 loans to other shareholders, you have no personal
2 knowledge of that as well?

3 A. I mean, most of the other partner
4 loans would come through Mr. Erickson.

5 Q. And do you know if other
6 shareholders authorized them or not? Do you have
7 personal knowledge of that?

8 A. I do not.

9 Q. And in terms of how the other
10 shareholders or all the shareholders were going to
11 repay their loans, you have no way of knowing that,
12 then?

13 A. No.

14 MR. MAUZY: I have no other questions.

15 MR. BOURGET: Can we take a restroom
16 break? We'll go off the record just for a few
17 minutes.

18 THE VIDEOGRAPHER: This marks the end
19 of media number three -- excuse me, media number
20 two. We are off the record at 11:24 a.m.

21 -- RECESS TAKEN AT 11:24 A.M. --

22 -- UPON RESUMING AT 11:35 A.M. --

23 THE VIDEOGRAPHER: This marks the
24 beginning of media number three and we're back on
25 the record at 11:35 a.m.

1 Go ahead, Counsel.

2 MR. BOURGET: Ms. Zimmerman, I just
3 have -- I have some more questions for you.

4 RE-EXAMINATION

5 BY MR. BOURGET:

6 Q. Mr. Mauzy asked you several
7 questions about whether Mr. Severin was your boss
8 and how that related to the Defendant being your
9 boss. Do you recall that line of questioning?

10 A. Yes.

11 Q. You mentioned that Tony Severin
12 was your direct supervisor?

13 A. Yes.

14 Q. Did Tony Severin report to the
15 Defendant?

16 A. Yes.

17 Q. Was Dave Erickson Tony Severin's
18 boss?

19 A. Yes.

20 Q. In terms of the requests for
21 payments that we've been discussing, at any point
22 did Tony Severin ever overrule Defendant's
23 requests?

24 A. I can't recall a time.

25 Q. Would it have been unusual for him

1 to do so?

2 A. Yes.

3 Q. Now, you were asked several
4 questions about your prior meetings with the
5 government and the ownership of United
6 International Bank; do you remember that?

7 A. Yes.

8 Q. Do you recall that you met with
9 the government last -- last week, on May 8th; do
10 you recall that?

11 A. Yes.

12 Q. And previously we met in November
13 of 2024, correct?

14 A. Yes.

15 Q. You had an opportunity to review
16 the first memorandum of interview that was prepared
17 from the November 2024 meeting?

18 A. Yes.

19 Q. After the May 8th meeting, did you
20 have an opportunity to review that memorandum of
21 interview?

22 A. Yes.

23 Q. The May 8th one?

24 A. No, no. What --

25 Q. You recall that we met in

1 November?

2 A. Yes.

3 Q. And prior to our May 8th meeting,
4 the government provided your attorney with a copy
5 of that memo?

6 A. Yes.

7 Q. And that one was provided to you?

8 A. Yes.

9 Q. Do you recall -- or not "do you
10 recall." Did you receive a second memorandum of
11 interview from the May 8th meeting?

12 A. I don't believe so.

13 Q. Okay. Did you review that first
14 memorandum to the best of your ability?

15 A. Yes.

16 Q. Did you intentionally fail to make
17 any corrections?

18 A. No.

19 Q. Sitting here today, is it correct
20 that Gregory Elias is the owner of United
21 International Bank?

22 A. I mean, I -- I don't honestly
23 know, but if I said it in the memo and it didn't
24 stick out to me as to correct it, then I would go
25 with that, yes.

1 Q. Okay. Well, I'm not asking
2 whether you said it in that first meeting. I'm
3 asking --

4 MR. MAUZY: Objection, asked and
5 answered. Leading.

6 MR. BOURGET: Let me finish my question
7 before you object.

8 BY MR. BOURGET:

9 Q. I'm not asking about what you said
10 in a previous meeting. I'm asking, sitting here
11 today, is it your understanding, is Gregory Elias
12 the owner of United International Bank, based on
13 what you know?

14 MR. MAUZY: Asked and answered.
15 Leading.

16 THE WITNESS: Again, I don't -- I don't
17 know if he is, but... I'm sorry, I don't -- I don't
18 know.

19 BY MR. BOURGET:

20 Q. You were asked some questions
21 about the signature process at United International
22 Bank for sending out a payment, the second
23 signature requirement. Do you recall that?

24 A. Yes.

25 Q. As far as the payments that were

1 sent to Halstead Bay Holdings, did anyone from
2 United International Bank ever fail to provide that
3 second signature?

4 A. I don't recall a time.

5 Q. Can you recall any time where
6 someone from United International Bank either
7 refused to provide the second signature or wanted
8 more information before doing so?

9 A. I don't -- yes, I mean, the house
10 part just that we discussed today were them asking
11 for additional information.

12 Q. Let me put that up on the screen.
13 So you're referring to Government's Exhibit 16, and
14 this was the exhibit I showed you previously
15 involving the real estate purchase?

16 A. Yes.

17 Q. So these three questions that you
18 received from United International Bank --

19 A. Yes.

20 Q. -- and that were -- that you
21 forwarded to Dave Erickson and Paul Eidsness, are
22 these questions that the bank had before they would
23 agree to provide the second signature?

24 A. I don't know what their process
25 is.

1 Q. Do you recall that, once you've
2 provided this information, that they provide a
3 second signature for that payment?

4 A. I believe so.

5 Q. Okay. I first show you, this is a
6 copy of Defendant's Exhibit 18, and the e-mail here
7 at the bottom from Tony to you, dated
8 February 26th, 2018. Do you see that?

9 A. Yes.

10 Q. He asks for you to pay from Rypl
11 and code to new account 14360 and shareholder
12 advance, and he says:

13 "Dave" -- who's copied on this
14 e-mail -- "we are all caught up on
15 our tax filings for Rypl."

16 He explains a little bit about those
17 tax filings. And then at the bottom, Tony states:

18 "So on the advance, can I get
19 Paul E. to do some paperwork for the
20 advance. Term, interest rate,
21 etc??"

22 Did I read that correctly?

23 A. Yes.

24 Q. And Dave Erickson's response is:

25 "Cool! Call me today regarding

1 documentation."

2 Did I read that correctly?

3 A. Yes.

4 Q. Were you part of any phone call
5 with Dave Erickson after this e-mail chain?

6 A. No, I was not.

7 Q. Okay. Do you recall if you ever
8 received any paperwork related to this transaction?

9 A. I -- I don't recall.

10 Q. Now, when Defendant would provide
11 you or e-mail you his, you know, loan or payment
12 requests, did he ever signal to you that there was
13 going to be documentation drawn up memorializing
14 those requests?

15 A. I'm not aware of anything.

16 Q. I want to show you now Defendant's
17 Exhibit 21, and I want to draw your attention to
18 the e-mails at the bottom of the first page.

19 Starting with the one at the bottom, an
20 e-mail from Dave Erickson to Tony Severin, where
21 you're copied, dated May 29th, 2018. Subject is
22 "Transfer."

23 This is -- you were asked about this
24 e-mail. This is about a transfer from Lloydsville
25 to 10Q21. Do you recall --

1 A. Yes.

2 Q. -- reviewing this e-mail?

3 A. Yes.

4 Q. On May 30th, 2018, Tony responds:

5 "Hi Dave. Okay, we can do
6 this, but United will want to see a
7 copy of the loan agreement before
8 the money gets moved. Can we get
9 Paul E. and Toine to work on that??"
10 Did I read that correctly?

11 A. Yes.

12 Q. And then at the top e-mail, the
13 Defendant responds:

14 "Please send the money
15 immediately. We'll deal as we go."
16 Did I read that correctly?

17 A. Yes.

18 Q. I want to show you now a copy of
19 Defendant's Exhibit 4. This was also a Government
20 Exhibit that I showed you on direct examination.
21 Do you recall this e-mail?

22 A. Yes.

23 Q. Now, in this e-mail, Defendant is
24 asking you to reconcile advances to Chad Moldon,
25 right?

1 A. Yes.

2 Q. At any point, did the Defendant
3 ever ask you to reconcile advances that he
4 received?

5 A. I don't believe so.

6 Q. I'm going to show you a copy of
7 Defendant's Exhibit 20. You were also shown this
8 e-mail. I'll move to the second page.

9 Do you recall this e-mail from -- or
10 testifying about this e-mail regarding Toine
11 Rodenburg?

12 A. Yes.

13 Q. And Toine asked you:

14 "Can you please pay attached
15 invoice from FireFly asap and send
16 me the wire confirmation?"

17 Did I read that correctly?

18 A. Yes, correct.

19 Q. And at the bottom he says:

20 "Dave, I will call you tomorrow
21 about this one (can't be paid from
22 10q21 due to company profile issues
23 at the bank)."

24 Did I read that correctly?

25 A. Yes.

1 Q. Toine is letting the Defendant
2 know about his request?

3 A. Yes.

4 Q. I show you now a copy of
5 Defendant's Exhibit 22. This is -- this the e-mail
6 regarding the loan to Paul Eidsness for the house
7 purchase. Do you recall testifying about that?

8 A. Yes.

9 Q. I want to note just for -- just
10 for the record that the testimony was that these
11 were, and the questioning suggested that this was
12 all part of one e-mail chain that Ms. Zimmerman was
13 on. That doesn't seem to be accurate, just
14 signaled by the bold line at the top of both page 1
15 and page 2, signifying the end of the chain. I
16 just want to note that for the record.

17 But putting that aside, Ms. Zimmerman,
18 you testified that you didn't recall if
19 Mr. Eidsness was a partner, a FireFly partner, in
20 2014; do you recall that?

21 A. Correct.

22 Q. Now, the formalities here that the
23 Defendant explains in this e-mail, where he says:

24 "Please use this template and
25 insert your terms."

1 Above that, he says:

2 "As well, you will need short
3 loan agreement to protect yourself
4 tax-wise."

5 Did I read that correctly?

6 A. Yes.

7 Q. Would it have been unusual for
8 Firefly to loan money to someone who was not a
9 partner of the company?

10 A. I'm not sure.

11 Q. I want to show you now a copy of
12 Defendant's Exhibit 50. This is the shareholders'
13 agreement that you looked at. Do you recall that?

14 A. Yes.

15 Q. I want to draw your attention to
16 Section 9.5 that you were asked about, which
17 states:

18 "Interest-free loans to
19 Shareholders may be made by the
20 Company subject to paragraph 3.6, up
21 to One Hundred percent (100%) of the
22 Liquidation Value pursuant to
23 paragraph 6.1."

24 So I want to take a look now at
25 paragraph 3.6, that this specific provision is

1 subject to.

2 Now, looking here at paragraph 3.6, it
3 states:

4 "Subject to paragraph 3.7, all
5 decisions relating to the management
6 and control of the business of the
7 Company shall be determined by the
8 Managing Director of the Company,
9 provided always that the following
10 matters shall be determined by a
11 majority vote of the Shareholders:"

12 And if you look at the bullet (m) as in
13 Mary, down at the bottom, it says, "the lending of
14 money by the Company."

15 Did I read that correctly?

16 A. Yes.

17 Q. When the Defendant made his e-mail
18 requests to you, did you ever have to get
19 permission from the Managing Director of Firefly?

20 A. No.

21 Q. Do you know who the Managing
22 Director of Firefly is?

23 A. No.

24 Q. Did you ever have to get
25 permission from Greg Elias?

1 A. No.

2 Q. Were you ever informed that the
3 shareholders had voted on the e-mail requests that
4 the Defendant sent you for transfers of money to
5 Halstead Bay Holdings?

6 A. No.

7 MR. BOURGET: I have nothing further.

8 MR. MAUZY: No questions.

9 THE VIDEOGRAPHER: Are we done for
10 today, Counsel?

11 MR. BOURGET: We have another witness
12 today, but we are done with this witness.

13 THE VIDEOGRAPHER: Okay, thank you.

14 We are off the record at 11:48 a.m.

15 This concludes today's testimony given by Amanda
16 Zimmerman. The number of media used was three and
17 will be retained by Veritext Legal Solutions.

18

19 -- Adjourned at 11:48 a.m.

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REPORTER'S CERTIFICATE

I, JUDITH M. CAPUTO, RPR, CSR, CRR,
Registered Professional Reporter, certify;

That the foregoing proceedings were
taken before me at the time and place therein set
forth, at which time the witness was put under oath
by me;

That the testimony of the witness and
all objections made at the time of the examination
were recorded stenographically by me and were
thereafter transcribed at my direction;

That the foregoing is a true and
correct transcript of my shorthand notes so taken.

Dated this 30th day of May, 2025.



PER: JUDITH CAPUTO, RPR, CSR, CRR

1 CERTIFICATE OF REPORTER

2 CANADA)

3 PROVINCE OF ONTARIO)

4

5 I, Judith M. Caputo, the officer before whom the

6 foregoing deposition was taken, do hereby certify

7 that the witness whose testimony appears in the

8 foregoing deposition was duly sworn by me; that the

9 testimony of said witness was taken by me in

10 shorthand, using Computer Aided Realtime, to the

11 best of my ability and thereafter reduced to

12 written format; that I am neither counsel for,

13 related to, nor employed by any of the parties to

14 the action in which the deposition was taken, and

15 further that I am not related or any employee of

16 any attorney or counsel employed by the parties

17 thereto, nor financially or otherwise interested in

18 the outcome of the action.

19 20
21 Judith M. Caputo, RPR, CSR, CRR22
23 Commissioner for taking

24 Oaths in the Province of Ontario

25

[0007 - 2019]

Page 1

0	117 7:4	16 5:6 6:13	2013 5:11
0007 8:19	11:24 121:20	48:9,10 94:1,6	19:20 20:6
01/01/2011	121:21	126:13	21:7,18 29:15
34:12	11:35 121:22	160,000 103:2	29:21 30:10
0:24 8:19	121:25	16th 107:8	36:25 37:9
1	11:48 134:14	17 6:1,12 41:12	58:5 103:1
1 7:5 38:12,15	134:19	41:13 47:5	2014 5:16 6:24
117:8 131:14	12 5:11,17 6:8	67:20 69:5	33:19,24
1/14/15 38:9	29:14 35:3,4	77:3,8,9,14	101:20 103:13
10 5:12 31:25	45:21 46:1	79:5 95:6	111:6 113:18
32:2 64:25	66:9	17th 47:9	131:20
10,000 94:16	12,056.24	18 5:24 6:4	2015 5:22 6:18
94:25 102:7,22	38:14	17:12 39:22	37:20 38:12,13
100 106:3	120 2:22	42:17,18 68:9	38:15,16,23
132:21	122 4:8	97:4 127:6	56:3,6 67:5
1001 5:6 16:6,7	125,000 114:17	18th 40:1	2016 5:19,24
100k 30:1	12th 30:10	19 6:7 45:19,20	6:15 7:3 35:6
110:7	68:21	68:19 101:18	35:11 39:22
107 15:9	13 5:20 37:16	1g4 2:17	40:1 48:12,22
108 6:19	37:18 67:3	2	51:14 107:8
10:02 59:9,10	90:13	2 75:6,22 79:9	115:1,4
10:09 59:11,14	14 6:16 55:25	131:15	2017 6:3,6,9
10:13 64:10,11	56:1 62:9 84:6	20 6:10 46:25	41:15,19 42:20
10:14 64:12,14	91:20,21	47:3 69:2,3	42:25 45:2,22
10q21 109:21	14202 2:22	107:7 117:24	46:1 67:21
109:22 110:1	14360 98:12,24	117:25 130:7	68:11,21 90:17
128:25 130:22	127:11	20002 2:6	91:23 93:8
10th 25:5 94:2	14th 59:22 62:5	2007 13:5,10	2018 5:13 6:12
94:10	62:11,20 77:2	2009 7:5 117:8	6:21 32:4,9
11 4:6 5:14	77:12,22,24	200k 113:14	47:5,9 69:5
29:21 33:15,17	78:9,12 84:5	2010 15:3	95:8 97:6
36:7	15 1:14,22 5:23	2011 72:21	108:22 109:1,3
111 6:22	8:4 10:17	73:7	127:8 128:21
112368 6:15	39:19,20 67:12	2012 5:9 22:23	129:4
48:12	93:5	23:2,14 24:18	2019 19:20
114 7:1	150 2:6	25:5 26:15	20:6 21:7,18
	158,460.78	28:4 64:21	36:25 58:5
	56:24		94:2,10 100:12

[202 - a.m.]

Page 2

202 2:7,7	28 5:15 6:15	4	688-1154 2:13
2020 1:21 73:2	33:19 48:12,22	4 5:13 32:4	6th 67:5
2020-77 8:21	51:14	103:11 129:19	7
2021 72:22,23	28th 33:23	403 17:9	7 5:7 22:20,21
2024 59:22	103:13	404 17:9	64:17
62:5,9,11,20	29 5:10 7:3	41 6:1	716 2:23
77:5,13,24	23:13 115:1	416 2:18	718-2056 2:7
78:9,12 123:13	29088 135:21	42 2:22 6:4	72,056.24 38:9
123:17	136:20	435,000.00	75,000 42:3
2025 1:14,22	29th 109:1	49:13	68:5 92:1
8:4 11:24	115:4 128:21	45 6:7	77 1:20
59:25 62:17	2nd 42:25	47 6:10	7th 93:8
74:23 75:5,21	3	48 6:13	8
77:2,23 78:7	3 6:2,6 41:14	4th 24:18 32:9	8 5:10 29:12,13
78:14 79:9,23	42:20 111:8,9	5	849-1333 2:23
84:5 135:18	3.6 132:20,25	5 48:17	89 2:17
21 6:17,19 56:2	133:2	50 7:4 117:7,11	8th 59:25 74:23
108:19,20	3.7 133:4	119:5 132:12	75:5,21 78:7
128:17	30 6:20 108:21	50,000 93:10	78:14 79:9,23
21st 56:6	30,000 43:11	55402 2:13	123:9,19,23
22 5:7 6:22	44:2 47:16	56 6:16	124:3,11
111:2,4 131:5	69:12	59 4:7	9
23 5:19 7:1	307-2182 2:7	5th 11:24 90:17	9.5 119:4,11
35:6 114:23,24	30th 109:3	6	132:16
116:10	129:4 135:18	6 5:8,21 22:23	9.5. 119:10
23rd 35:11	31 38:13,16	23:2 26:14	90 47:16
24-7 1:3	32 5:12	28:4 37:20	929-1103 2:18
25,000 46:8,10	33 5:14	6,000 115:11	9:45 46:18,19
95:10,16	35 5:17	116:10	9:50 46:20,22
25th 95:8	36,000 36:16	6.1. 132:23	a
260 2:12	37 5:20	60,000 38:11	a.m. 1:22 8:1,4
26th 97:6 114:1	39 5:23	38:22	46:18,19,20,22
127:8	3rd 41:19 45:1	612 2:13	59:9,10,11,14
27 6:23 111:6	67:20 68:11	65,871.18 40:9	64:10,11,12,14
27th 101:20	91:23	650 2:12	121:20,21,22
113:18,23			121:25 134:14
114:3,6			

[a.m. - al]

Page 3

134:19	accounting	adjourned	affiliations
ability 72:15	12:22 14:10	134:19	9:11
72:25 73:10	15:24 44:16,20	administer 9:2	affirm 10:7
83:22 84:8,10	44:21 48:4	admission	affirmed 10:10
124:14 136:11	70:17 71:17	10:15,21	afternoon 45:4
able 20:17,21	84:21 85:4,7	admit 10:22	agent 75:8 76:5
22:4 53:11	85:11,22 86:13	adopted 10:19	agents 60:4
64:3 85:3,6,21	87:24 88:19	adrienne 3:6	74:24 76:16
103:5 119:19	90:4 97:18	9:24	77:15,23
above 1:18	116:18	advance 94:3	ago 82:7
30:9,16 132:1	accounts 13:23	94:13 98:13,19	agree 8:11
accept 23:25	14:4 18:5 20:7	106:22 111:23	120:12 126:23
27:23	20:10,15,19,24	113:8 127:12	agreed 10:18
access 17:12	21:1,5,9,12,15	127:18,20	10:22 12:9
20:14 21:20	22:2,5,9,14,17	advanced	58:17
22:1 53:3	24:12 28:14,16	34:16 106:1	agreement 7:5
55:16 57:5	29:5 37:6,10	advances 5:16	11:2,25 12:4
96:3	37:11 73:17,18	5:19 32:18	19:3 58:16
accomplish	73:25 74:5,7	33:19 34:11,19	117:2,4,8,12
105:4	82:10,24 84:1	34:23 35:7,18	117:14,15,21
account 18:19	84:9,11,12,13	36:7 66:18	118:1,7,9,19
18:20 23:20,22	accurate 23:6	83:17 99:19,20	118:21 119:7
24:1,23 25:1	32:10 34:2	99:22,24 100:2	119:15 129:7
30:1,5 35:21	35:14 41:22	100:6,9 101:5	132:3,13
44:15,19 81:6	43:4 45:11	101:5,10,13,15	agreements
81:9,16 82:17	46:5 131:13	102:12,15,19	119:1
83:8,11,16,23	action 9:4	103:14 104:1	ahead 46:22
91:5,7 95:4	136:14,18	104:13 105:3	59:14 64:14
98:8,12,23	actively 100:12	105:14,24	94:5 122:1
102:10,14	activity 104:3	106:13 108:5,9	aided 136:10
104:12 105:6,9	actual 26:21	108:13,15	al 5:8,13,15,18
105:17 114:18	actually 48:15	129:24 130:3	5:21,24 6:2,5,8
127:11	57:25 72:12	advise 114:18	6:11,14,17,20
accountable	additional	advised 61:3	6:23 7:2 22:22
26:23	107:15 126:11	61:15	32:3 33:18
accountant	address 23:9	affiliated 74:16	35:5 37:19
97:22,24,25	51:23,25	affiliation	39:21 41:14
		76:14	42:19 45:21

[al - aware]

Page 4

47:4 48:11 56:2 108:21 111:5 114:25 alexandria 20:13 82:4 amanda 1:16 2:5 4:3 8:14 9:15 10:5,9 40:8 74:25 94:2 98:5 134:15 amandawkre... 23:9 america 1:6 8:16 61:21 american 56:14 amex 6:18 55:7 56:3,9,12 71:2 95:9,21 96:8 96:10 97:7 amortize 38:11 38:14,20 39:1 amount 38:6 48:1 56:20,24 amounts 48:5 57:7 58:17 answer 31:13 31:14 79:16 82:21 89:19 112:22 118:14 answered 76:11,13,19 78:18,22 79:13 85:9 125:5,14 answers 63:9 anymore 20:5	ap 13:20,21,22 87:17 appear 11:22 23:3,5 24:18 32:9 34:1 35:13 41:21 43:3 46:4 47:9 48:22 appearance 9:8 appearances 9:10 appears 22:25 33:21 35:9 39:24 41:17 42:23 43:24 45:24 47:7 48:20 136:7 approval 39:9 39:12,15 41:4 42:9 112:10 113:4,6 approved 90:7 113:20 114:6 approximately 36:15 april 5:24 35:22 39:22 40:1 asap 27:21 130:15 aside 131:17 asked 32:15 60:3,4 63:9 75:16 76:10,18 78:7,15,17,21 79:12 85:8 87:6 102:19,25 116:9 122:6	123:3 125:4,14 125:20 128:23 130:13 132:16 asking 19:12 25:23 26:2 27:15 38:19 64:16 83:25 94:16 105:2 107:19 113:3 125:1,3,9,10 126:10 129:24 asks 40:7 45:14 102:21 103:25 115:11 127:10 assertions 60:11 assist 14:5 assistant 13:1 13:15,24 63:12 associated 88:12 109:14 109:25 110:1 associates 49:15 assume 60:9 74:4 87:19 90:1 106:12 116:11,16 assuming 25:24,25 atlantic 15:9 attached 107:19 130:14 attend 120:15 attending 32:13 attention 32:7 75:6 128:17	132:15 attorney 2:10 9:12,24 124:4 136:16 atypical 106:4 audio 8:10 august 5:15 6:23 23:13 33:19,23 101:20 103:13 111:6 113:18 113:23 114:1,3 114:6 authority 71:19 80:23 82:17,24 authorization 73:4 authorize 73:17 authorized 9:2 28:5 74:2 118:9,22 120:21,25 121:6 available 42:5 92:3 avenue 2:12,22 aware 38:5 58:14,22,25 63:6 65:15 87:4 95:4 101:13 118:8 118:21,25 128:15
--	---	---	---

[b - box]

Page 5

b	91:14 92:9	84:2,8,15 85:2	67:10,11 68:7
b 17:9	93:21 95:3,20	92:6 96:20	70:3,4 86:7
back 19:23	106:17 107:15	99:7,11 102:16	87:22,23,25
24:15 25:4	115:20 116:12	103:7 105:19	122:7,9,18
26:17,19 35:21	120:3,6 123:6	105:22,25	bottom 16:19
46:21 47:18,25	124:21 125:12	106:20 111:13	17:25 23:11
59:13 64:13	125:22 126:2,6	115:18 119:25	27:19 29:18
71:8 88:17	126:18,22	120:2 124:12	32:7 42:22
99:23 100:2	130:23	127:4 130:5	43:23 48:15
121:24	banked 21:18	belongs 49:25	49:18 52:10
balance 56:25	banking 26:5	best 124:14	110:5 111:9
balances 53:1	49:16 96:4	136:11	127:7,17
83:23	bannister 84:6	better 85:11,21	128:18,19
bank 14:4	bannister's	85:24	130:19 133:13
18:19,20 20:7	83:23	beyond 37:2	bourget 2:4,7
20:9,11,13,14	based 28:17	bill 59:18	4:6,8 9:13,14
21:14,19,23,24	71:12 72:13	billing 18:5	10:12 11:3,12
22:2 23:20,22	125:12	bills 14:4 19:13	16:8 17:10
24:12 25:1	basis 18:10	bit 25:3 44:18	22:12,24 29:16
27:11 28:13,14	bay 36:23 37:2	52:17 84:22	32:5 33:20
28:14,16 29:4	37:5,10 38:4	127:16	35:8 37:14,21
29:15 30:5	39:6,9 58:7,21	board 84:19	39:23 41:16
37:6 45:6 49:2	93:10 126:1	86:1	42:21 45:23
49:4 50:9 51:4	134:5	body 46:7	46:15,23 47:6
51:9 52:14	beginning 9:11	bold 131:14	48:13 56:4
56:20 71:23	59:13 121:24	book 102:12,15	57:4 59:1,4
73:21 74:5,8	behalf 2:3,9,15	102:19	61:5 62:7 75:1
74:11,14,17,20	2:20 9:14,16	booked 102:16	76:10,18 77:19
74:22 75:2,9	9:17,19 10:3	bookkeeping	78:17,21 79:12
75:20,23 76:9	29:8 92:15	14:10	85:8 89:15,19
76:15,17 77:18	belief 89:2,18	books 33:13	106:10,14
80:14,24 81:4	believe 19:21	58:11 87:3	108:7 112:19
81:6,9,16,20	20:12 21:19	border 62:3	118:11,24
81:23,25 82:1	27:18 28:13	boris 2:4 9:13	121:15 122:2,5
82:2,3,11,14	36:16 37:12	74:25	125:6,8,19
82:24 84:11	57:13 59:23	boss 16:2 63:18	134:7,11
87:15 91:5,7	62:8,13 70:9	63:19,20 65:5	box 19:16
	70:20 71:10	65:8,11 66:12	

[break - collectively]

Page 6

break 59:3 121:16 briefing 10:24 briefly 64:7 bring 48:18 broadcasters 14:3 buffalo 2:22 bug 25:7 building 15:13 bullet 133:12 burry 5:11 29:14,20,22,24 99:4,6 101:23 101:25 112:18 burry's 102:15 business 13:6 15:22 52:20,23 53:12 55:6 57:9 58:1 96:14 103:23 111:20 133:6 buys 18:17	18:11,13,17,22 18:25 19:5,15 22:23 cambria 2:21 camera 8:7 canada 1:13 3:6 8:22 9:25 21:19 23:20 97:20 136:2 canadian 21:24 caputo 1:24 8:25 135:3,22 136:5,21 card 18:5 35:19 53:15 54:7,13,16,19 54:22,25 55:3 55:8,10,13,17 56:14,22 57:6 57:17 66:18 69:16 104:16 104:19,25 108:17 cards 52:18,19 52:22 53:1,7 89:10 105:15 care 88:24 carol 50:8,8 carries 86:18 case 8:18 19:19 61:12 62:4 110:19 cases 87:1 cash 5:19 35:7 35:18 66:17 categorize 57:16 58:1	categorized 33:12 catharines 11:15 caught 127:14 cc 33:23 cc'd 66:24 certificate 135:1 136:1 certified 8:23 certify 135:4 136:6 cfo 14:7 chad 5:16 33:19,23 34:12 34:16 36:7 54:15 63:5 99:9 103:13,14 104:1,4,14 105:3,5,23,23 106:8,12 129:24 chad's 104:16 chain 5:7,10,12 5:14,17 6:13 6:22 22:21 23:12 26:13 29:13,19 32:2 33:17 35:4 42:23 43:23 45:1,11 48:10 111:4 112:4 113:8 114:10 114:12 128:5 131:12,15 chang 23:2 27:18 64:18,20	changing 52:16 charge 90:4 116:17 charged 58:20 charitably 84:22 charlotte 2:16 10:1 74:25 77:25 chart 5:6 16:7 16:10 17:20 city 11:14 clarification 57:2 class 12:24 clear 19:10 clearly 65:16 73:10 clerk 13:20 clerks 87:17 98:16 closed 82:6,7 closing 23:22 51:18 52:12 clvs 3:9 cmj 2:18 code 30:12 33:2 35:20 98:7,11,22 127:11 coded 105:6 coding 33:11 44:7,10 89:8 116:6,6,7 collect 54:2 collectively 20:3
c			
c 2:1 3:1 13:13 cable 64:6 calculate 100:19 call 127:25 128:4 130:20 called 1:17 31:22 82:3 99:18 cam 16:21,24 cam4 5:9 16:20 16:20 17:14,16 17:22 18:1,4,9			

[collects - correct]

Page 7

collects 19:4	compensated	63:16 64:20	corporations
come 15:6	92:23 93:2	70:1 84:17	25:15 26:9
26:19 93:21	compensation	86:4 88:18	correct 19:25
95:2 115:22	36:12	90:2	23:3 24:18
116:14 121:4	complete 12:4	convenience	27:3 30:18
coming 20:18	12:8	40:10	47:9,13 48:22
24:22	completed	conversation	50:25 56:10
commencing	12:19	31:11	59:22 60:5,14
1:21 8:1	compliance	cool 112:8	60:18 62:12,22
commercial	25:8 26:19	127:25	62:23 63:13,16
50:19 96:4	27:6	cooperation	63:25 66:1,18
commissioner	comply 69:17	26:25	66:19,20 67:15
136:23	compound	copied 23:2	67:24 68:12,13
common 26:4	22:11 37:13	35:10 39:25	69:6,9,24 70:8
40:18 46:11	computer	42:25 45:25	71:19,25 72:4
51:9	136:10	56:6 65:16	72:9,17 73:13
communicati...	concerns 61:20	66:25 67:6,14	73:21,25 74:1
83:6	61:23,24 62:1	69:23 97:6	75:25 76:1
companies	concludes	109:3 114:7	79:7,8,18 80:9
13:16,19 19:25	134:15	127:13 128:21	80:21 81:4,5
20:3 24:12	conducted 8:6	copies 55:20	82:2,11,14
26:22	confirm 11:6	copy 23:6	83:3,4,8,14,18
company 13:4	102:21,25	32:10 34:2	83:23 86:22,23
15:15,19 18:12	confirmation	35:14 41:22	87:21 88:3,20
27:13 29:8	130:16	43:4 45:11	89:5,25 90:8
34:18 44:23	confuse 77:11	46:5 64:3	90:10,22 91:12
52:17 53:16	connection 8:8	66:14 68:1	92:13,17 96:25
86:5 88:19	consider 16:1	93:8 104:8	97:3,11 98:2
100:20 109:18	consult 40:25	124:4 127:6	98:19 99:6,14
130:22 132:9	41:3	129:7,18 130:6	99:16,20,21,23
132:20 133:7,8	cont'd 3:1	131:4 132:11	102:24 103:23
133:14	continue 8:10	copying 107:10	104:1,5,14
company's	27:5	corporate	105:24 106:16
26:5 33:13	control 28:18	35:19 66:18	107:1,17,21
57:12,25 58:11	28:21 73:16	corporation	108:2 109:16
compelled	133:6	2:16 19:17,24	109:18 110:2,9
11:22	controller 13:1	20:12 25:17	110:17 111:17
	13:16,24 63:12	27:1 49:14,24	113:2,16 114:3

[correct - david]

Page 8

114:20,21	couple 108:24	customers	101:20 103:13
115:7,15,16	course 106:23	88:10,15	107:8 108:21
118:2 119:16	111:20	d	109:1,2 111:5
120:4,7,13,14	court 1:1,2	d 2:21 4:1 5:7	114:25 115:4
120:20,23,24	8:18,25 10:6	5:10,12,14,17	117:8 127:7
123:13 124:19	10:19 31:9	5:20,23 6:1,4,7	128:21 135:18
124:24 130:18	61:12	6:10,13,16,19	dates 70:23
131:21 135:14	covering 38:23	6:22 7:1,4	77:12
corrected	cr 8:19	22:22 29:14	dave 23:1
32:20	created 89:20	32:3 33:18	29:20,25 30:10
correction	credit 18:5	35:5 37:19	30:20 35:10
78:11	52:18,19,22	39:21 41:13	41:18 44:1
corrections	53:1,7 54:7,13	42:18 45:20	45:3 47:8
60:5,7,10	54:16,19,22,25	47:3 48:10	64:17 65:3
78:10,16,20	56:22 57:6,17	56:1 95:6	66:9 67:4,13
79:1,4 124:17	69:16 89:10	108:20,20	67:18,21 68:10
correctly 23:14	104:16,19,25	111:4,5 114:24	68:17,20 69:4
24:2 25:18	105:15 108:17	114:24 117:7	69:12,14,15
27:9 28:1,9	criminal 1:3	dana 23:13,18	70:6,18 73:18
30:6,14,22	3:5 9:22 10:17	24:22 25:6	82:16 84:17
32:24 33:24	61:12	26:14	90:9,16 91:22
35:11 38:17	cross 4:7 59:15	date 73:15 77:4	93:7 94:1,9
40:1,12 41:19	crr 1:24 135:3	dated 5:8,11,13	95:7,16 97:5
43:1,15 45:8	135:22 136:21	5:15,18,21,24	101:19 102:3
47:19 49:21	cs7296586 1:25	6:2,5,8,11,14	103:6,12,25
50:21 51:7,19	csr 1:24 135:3	6:17,20,23 7:2	107:10 108:25
56:7 127:22	135:22 136:21	7:5 22:23	109:2 110:11
128:2 129:10	curacao 20:11	23:13 24:17	112:5,7,17
129:16 130:17	32:14 80:8,14	26:14 29:14,21	113:9,18 114:1
130:24 132:5	82:10	32:3 33:19	114:14,16
133:15	current 62:15	35:6 37:20	115:3 120:22
costs 94:3,14	62:17	39:22 41:14,18	122:17 126:21
counsel 1:17	currently	42:19,25 45:21	127:13,24
8:15 9:9 10:2,8	12:12 23:19	46:1 47:4,8	128:5,20 129:5
59:14 64:14	44:3 72:18,20	48:11,21 56:2	130:20
122:1 134:10	customer 18:16	68:10,20 69:5	david 1:9 2:9
136:12,16	18:16 88:8	75:5 90:16	8:16 9:18,20
			9:21 14:15

[david - dividends]

Page 9

15:1 21:11	defendant 1:10	107:6 114:22	63:19,20 67:11
33:22 34:4,16	2:9 9:18 14:15	delaware 2:22	68:7 70:4 75:6
49:25 54:21	15:1,2,18 22:8	deny 76:4	81:19 86:7
55:2 59:19	22:16 27:18	department	122:12 129:20
69:24 96:12,12	28:3 30:24	2:4 3:6 27:6	directed 21:8
97:2 99:3,3	31:4,15,21	depends 8:7	29:3,7 31:21
103:12 104:4	32:8,12 33:2,6	deposed 63:8	81:22
107:1 109:15	33:22 34:9,18	deposition 1:16	directing 30:25
109:25 112:16	34:24 35:16	8:5,14,20	31:6 48:6
day 13:25,25	36:5,11 37:1	10:16,18,25	direction 91:10
15:19,19,21,21	38:19 39:25	11:9 63:5,10	135:12
18:10,10 26:24	40:6,18 41:6	136:6,8,14	directions
28:19,19,22,22	42:2,14,24	depositions	31:16 33:2
62:17 84:17,18	43:9,18,25	10:23	directly 36:21
113:25 135:18	45:15,25 46:11	der 33:22 34:4	63:22 86:2
days 23:21	47:15,24 48:1	49:25 54:21	107:1,5
27:23 47:16	48:5 50:24	99:3,5 103:12	director 133:8
dc 2:6	51:13,13 52:11	109:15,25	133:19,22
deal 43:14,17	56:5,17 58:4	112:16	directors 32:23
44:7 45:14,16	58:12,17,20	describe 14:21	disapprove
129:15	122:8,15	16:20 84:22	65:13
dear 23:18	128:10 129:13	described	discuss 65:7,10
december 6:14	129:23 130:2	33:12	65:19
35:23 38:13	131:1,23	description 5:4	discussed
48:12,22 51:14	133:17 134:4	details 25:1	10:13 126:10
59:22 62:5,20	defendant's	30:4	discussing
90:17	37:11 93:5	determine	122:21
decided 20:25	94:6 95:6	53:11 71:15	district 1:1,2
decision 28:22	103:10 108:19	90:5 116:9	8:17,18
81:8,11 86:9	111:2 116:10	determined	dividend 31:22
86:21	117:11 119:5	133:7,10	32:19 100:9,11
decisions 28:19	122:22 127:6	difference	dividends 30:3
86:11,14 133:5	128:16 129:19	101:8	32:22 35:22
declared 32:22	130:7 131:5	different 13:7	99:19,25 100:2
100:5,8,11	132:12	19:25	100:5,7,7,20
101:12	defense 90:12	direct 4:6	100:22 101:5
deducted	91:20 93:25	11:11 21:3,11	101:10,11
101:11	97:4 101:17	22:8,13,16	

[dividing - erickson]

Page 10

dividing 39:3	5:14,17,20,23	108:24,25	39:16 41:4
division 2:4	6:1,4,7,10,13	109:2,20 111:4	48:21,25 74:10
divorce 115:13	6:16,19,22 7:1	111:9,16 112:4	75:1,9 77:15
dml 1:3 8:19	22:21,25 23:1	113:7 114:1,6	78:1 79:5,10
docs 51:18	23:6,9,12,16	114:24 115:3	79:23 83:6,14
52:11	24:16,17 25:5	120:18 127:6	124:20 125:11
document 75:7	25:5,21 26:12	127:14,19	133:25
77:9 84:7 97:8	26:14 27:17	128:5,11,18,20	employed
101:21 103:16	29:13,18,18,19	128:24 129:2,9	12:12 136:13
103:18 109:5	29:20 30:9	129:12,21,23	136:16
109:11 110:18	32:2,7,8,10	130:8,9,10	employee
119:8	33:17,21 34:2	131:5,12,23	73:20 80:23
documentation	34:22 35:4,9	133:17 134:3	83:14 136:15
52:14 128:1,13	35:14 36:6	earliest 40:10	employees
documents	37:18,22,24	earn 18:14	52:23 53:7
50:16,20	38:7 39:20,24	earned 36:15	entertainment
doing 41:1	40:4,6 41:13	easier 48:19	18:2,3 19:2
42:10 87:8	41:17,22,25	easy 77:11	88:11
126:8	42:18,23,24	education	entire 37:23
dollar 111:23	43:4,7,10,23	12:22	38:23,24 73:1
dollars 110:24	43:24 45:7,11	eidsness 49:15	entities 16:10
dooling 2:12	45:13,20,24	50:25 51:13	16:17 19:6
9:17,17 59:18	46:2,5,7,12	99:9 111:11,22	entity 36:22
64:5	47:3,7 48:10	112:5 113:9,16	49:24
doors 53:25	48:15,20 50:7	113:19 114:15	entries 48:4
double 94:5	51:12 52:10	126:21 131:6	equity 113:14
draw 32:6	56:1,5,18 58:4	131:19	equivalent
128:17 132:15	66:9,15,23	eidsness's	49:12
drawn 128:13	67:4,6,13,20	111:9	erickson 1:9
due 130:22	68:10,20 69:4	eisner 23:13	2:9 5:7,10,12
duly 1:19 10:10	70:12 71:13	24:17 25:6,6	5:14,17,20,23
136:8	72:14 87:11	25:23 26:14,15	6:1,4,7,10,13
duties 13:25	90:15 91:9,11	either 34:16	6:16,19,22 7:1
14:5	91:22 93:7,18	37:10 55:2	8:17 9:18,20
e	94:1,9 95:7	57:14 126:6	9:21,21 14:16
e 2:1,1 3:1,1	97:5 101:18	elias 5:13 28:7	15:1 21:11
4:1 5:7,10,12	103:11 107:7	28:11,12,25	22:22 23:1
	107:13 108:20	29:3 32:3	29:14,21 30:10

[erickson - feel]

Page 11

30:20 32:3	estate 49:20	40:22 42:7	88:23 89:24
33:18 35:5,10	50:2,17,18	47:22 91:4	92:20 96:14
37:19 38:1	51:15,17	executed 93:19	97:2 105:6
39:21 40:17	126:15	exhibit 16:6,7	experience
41:13,18 42:18	et 5:8,13,15,18	22:20,21 29:12	14:10
45:20 46:9	5:21,24 6:2,5,8	29:13 31:25	explain 18:1,6
47:3,8 48:11	6:11,14,17,20	32:2 33:15,17	19:8 24:9
52:8 55:2 56:1	6:23 7:2 22:22	35:2,3,4 36:7	25:22 37:24
56:15 57:14	32:3 33:18	37:16,18 39:19	38:20 41:6
59:19 64:17	35:5 37:19	39:20 41:12,13	56:16
65:12,14 66:10	39:21 41:14	42:17,18 45:19	explains
67:13,18,21	42:19 45:21	45:20 46:25	127:16 131:23
68:10,17,20	47:4 48:11	47:1,3 48:9,10	explicit 17:7
69:4,12,15,24	56:2 108:21	48:17 55:25	express 56:14
70:6,19 73:19	111:5 114:25	56:1 64:17,25	f
81:12 82:16,23	euro 49:12	66:9 67:3,3,12	facilitate 24:7
84:17 90:9,16	102:23	68:19 69:2,3	fact 83:5 87:3
91:22 93:8	eventually	90:13 91:21	fail 124:16
94:1,10 95:7	19:16 99:23	93:5 94:1 95:6	126:2
95:16 96:13	100:3	97:4 101:18	fair 32:10 34:1
97:5 99:3,5	evidence 48:4	103:11 107:7	35:13 41:21
101:19 103:12	exact 25:10	108:19,20	43:3 91:15
107:1,10	73:14	111:2,4 114:23	101:4
108:20,25	exactly 24:10	114:24 116:10	familiar 16:23
111:5 112:5,7	58:8 111:2	117:7,11 119:5	52:1
112:17 113:9	examination	126:13,14	family 49:7
113:18 114:1	1:17 4:6,7,8	127:6 128:17	far 42:6 47:21
114:14,24	11:11 59:15	129:19,20	58:19,23 86:15
115:3 120:22	122:4 129:20	130:7 131:5	88:17 125:25
121:4 122:17	135:10	132:12	favorite 17:18
126:21 128:5	excelsior	exhibits 5:1	february 5:18
128:20	113:11	10:15,21,23	35:6,11 95:8
erickson's	exchange	64:3 70:7	97:6 103:1
127:24	120:19	exist 20:5	127:8
esquire 2:4,5	excuse 21:22	expenses 52:20	federal 10:17
2:11,12,16,21	80:1 121:19	52:23 53:8,11	feel 118:13
established	execute 20:21	53:14 55:6	
48:24 58:24	21:4 22:4 37:9	57:7,8 58:1	

[fees - given]

Page 12

fees 115:14	82:8,12,13,17	foregoing	80:9 81:7,17
field 12:23	84:14 88:8,13	135:5,13 136:6	82:1,8,9,13
32:19	90:10 92:16,16	136:8	86:15 87:14
figure 46:13	92:20,23 93:2	formal 12:21	91:14 92:2,5
filed 8:17	99:2 104:13	32:22	107:22 110:21
filings 127:15	105:9,18,24	formalities	further 44:25
127:17	106:1 107:9,20	131:22	52:14 59:1
fill 23:24	107:22 108:16	formally 10:22	134:7 136:15
final 104:8	108:17 109:10	format 136:12	future 24:24
finance 15:24	110:8,21	forms 23:24	g
financial 13:11	111:14 112:1	forth 24:16	g 5:6,7,10,13
89:21	116:24 117:2,7	25:4 135:7	13:13 16:7
financially 9:4	118:20 130:15	forward 32:21	22:20,21 29:13
136:17	131:19 132:8	50:24 120:6	32:2,3 33:17
finish 31:12,13	133:19,22	forwarded	35:4 37:18
125:6	firm 9:1 97:18	50:7 120:3	39:20 41:13
finished 32:13	first 15:2,4	126:21	42:18 45:20
firefly 7:4	23:12 24:4	forwarding	47:3 48:10
19:17,17,23,23	34:4 35:24	24:25	56:1
19:24,24 20:3	38:7 53:13	four 99:2,5,15	general 9:25
20:4,7,12 21:9	99:16 114:9,12	111:2	40:19 44:11,14
21:12 22:7	123:16 124:13	free 118:10,14	generally 17:7
25:16 26:3	125:2 127:5	119:12 132:18	19:8 20:2
28:7,16,19,25	128:18	frequently 90:9	31:16 53:15
29:2,4 30:17	firstly 32:17	90:20	80:7 91:13
30:21 31:20	five 111:23	front 94:7	99:19
34:7 36:11	focus 25:4 30:8	fund 23:19	generate 17:14
37:10 39:13	follow 31:16	27:5,22	generated
52:19 54:3,9	45:1 51:18	funding 23:25	17:21
54:22,25 55:3	52:11 94:21,24	funds 21:8,12	getting 26:17
55:14 57:16,25	95:15	24:22 25:10	27:8
70:8,14,25	following	29:4,8 37:2	ginter 2:21
71:1,4,11,12	24:23 27:17	39:5 42:5 45:4	10:3,3 11:7,10
71:15,18 72:4	30:9 49:10	67:18 68:17	give 12:4,8
72:7,9,9,16	50:15,23 51:4	70:5,7,19,24	27:7 61:18
73:1,11,18,24	102:4 133:9	71:1,3,4,6,18	given 134:15
74:6 80:9,12	follows 10:11	72:2,7,8,12	
80:14 81:17		73:17,24 74:3	

[gl - improper]

Page 13

gl 44:7,10 go 8:11 23:11 29:1 45:5 46:15,22 57:25 59:4,14 60:17 61:2,8,14 64:7 64:14 71:8,16 81:20,23,25 94:5 121:16 122:1 124:24 129:15 going 8:3 27:7 32:20 43:22 48:16 59:9 60:24 61:21 64:2 81:15 90:12 93:4 95:5 101:17 107:6 111:1 114:22 117:10 121:10 128:13 130:6 good 9:13 59:17,20 goodale 3:9 8:23 gotten 116:11 government 12:1,9 59:22 62:25 64:3,17 66:9 67:3 68:9 68:19 69:2 77:25 123:5,9 124:4 129:19 government's 16:6 29:12 31:25 35:3 37:16 39:19	41:11 42:17 45:19 46:25 55:25 67:20 126:13 governmental 61:24,25 granity 18:2,3 18:5,9,12,20 19:2,4,14 88:11 great 30:3 green 2:21 greg 28:6,11,12 28:24 29:3 39:16 41:4 48:21,24 74:10 83:14 133:25 gregory 77:15 78:1 79:5 83:6 124:20 125:11 guayaca 13:10 14:9,9 guess 120:10 guessing 73:6 guys 27:4 112:8,13,16 113:4 114:2	92:2 93:10 94:17,25 115:12 116:11 126:1 134:5 hand 75:21 114:22 117:10 handed 77:13 handing 75:4 handle 10:21 happen 66:6 happened 101:14 happy 49:6 64:5 hard 27:7 he'll 114:1 head 98:21 heard 8:9 held 28:15 44:15 74:6 hi 44:1 45:3 98:5 129:5 high 12:20,24 highest 12:18 hired 84:23 hmm 18:18 63:21 87:13 97:9 98:10 hodge 50:8,8 hold 28:15 holders 53:15 holdings 36:24 37:2,5,10 38:4 58:7 126:1 134:5 holds 18:5 56:15	holidays 49:6 homes 17:2 honestly 75:14 124:22 honor 66:3 honored 65:25 66:2 host 17:1 house 111:24 113:11 126:9 131:6 housekeeping 32:4,16 hsbc 29:15 30:1 hundred 109:7 109:9 110:23 111:22 132:21
			i
			idea 82:20 identification 16:5 33:16 35:2 37:17 41:11 identified 14:25 identifying 96:14 immediately 110:16 129:15 immunity 11:25 impeachment 77:20 79:13 important 25:9 improper 77:19 79:13

[including - know]

Page 14

including 9:9 104:3 105:14	77:17 78:2 79:6 80:14,24 81:4,15 82:2 82:11,14 84:11 87:15 91:6,14 92:9 93:21 95:3,20 115:20 116:12 123:6 124:21 125:12 125:21 126:2,6 126:18	irs 3:5 9:22 issue 52:19,22 issued 54:6,12 54:15,18,21,24 55:10,13 100:22 issues 130:22 issuing 67:18 items 32:16	jury's 33:10 justice 2:4 3:6 justin 2:21 10:3
index 5:1			k
indicated 60:16			keep 80:2 89:24
indicating 58:16			keeping 89:4
indication 58:11			kept 72:3,5 103:8,22 104:18,21
individual 26:7 27:12		j	kevin 54:9,12 99:10
info 27:8	internet 8:7	j 2:11	kind 31:10 36:11 58:23 61:25
information 26:6 27:21 30:6 33:10 45:15 49:17 50:15 51:10 107:16 126:8 126:11 127:2	interrupt 57:23	jacket 14:22	kindly 50:14 113:10
	interrupting 80:2	janssen 2:16,16 2:18 10:1,1 74:25 77:25	king 1:20 8:21
	interview 60:2 60:3,11 62:8 74:23 75:5 77:2,12,13 78:9 79:10 84:5 123:16,21 124:11	january 5:13 5:21 6:17 32:4 32:9 37:20 38:12,15 56:2 56:6 67:5	kiser 3:5 9:22 9:22 75:1
informed 50:12 69:23 134:2	interviewed 59:21,24 78:6	jeans 14:23	knew 15:20 51:23 52:2 63:7 81:16,25
insert 131:25	interviewing 77:23	kginter 2:23	know 14:13,15 16:24 18:6 19:12 25:9,20 26:5,18,20 27:6,12 28:12 28:20 35:24 36:15 41:7 44:9,14 45:17 46:12 49:11 51:4,21 52:4 55:7 56:25 57:6,8 58:4,5 58:19,23 63:8
instance 31:19	investigation 3:5 9:23	jmb 1:3 8:19	
instructions 31:17 86:19 113:21	investment 35:17	job 1:25 14:13 85:22,24 87:8 90:2 116:2,5,8	
insure 25:11	invoice 107:9 107:19,23 130:15	johnny 23:2 27:18 64:18,20	
intentionally 124:16	involved 15:21 26:10 84:17 100:12,16	joint 10:18	
interest 16:16 58:20 118:10 119:12 127:20 132:18	involving 126:15	judith 1:24 8:25 135:3,22 136:5,21	
interested 9:4 136:17		july 7:5 117:8	
international 71:22 73:21 74:17 75:2,9 75:20 77:16,17		june 6:8 45:21 46:1 68:21 107:8	

[know - made]

Page 15

70:11 73:8 74:19,21 75:15 76:17,25 88:4 88:5 92:12 93:14 96:8,23 97:16 98:21,23 100:14,15,21 100:24 105:21 106:2,3,5,8,13 106:17,21 107:14 109:19 112:13,20,23 112:25 115:23 116:15 120:11 121:5 124:23 125:13,17,18 126:24 128:11 131:2 133:21 knowing 121:11 knowledge 85:9 89:16 100:10 106:10 112:20 118:12 120:23 121:2,7 krieg 54:9,12 99:10	lawyer 61:3,16 74:25 77:24,25 lawyers 77:25 leading 125:5 125:15 learn 14:12 lease 113:12 leave 104:7 ledger 44:12,14 105:5 ledgers 57:25 legal 1:20 8:24 8:24 9:1 94:3 94:13 115:14 134:17 lending 133:13 letter 44:11 letting 131:1 level 12:18 lglaw.com 2:23 liberty 15:8 license 19:3 licensing 18:23 19:14 likely 27:1 limited 18:2 20:4	little 24:15 25:3 44:18,25 52:17 127:16 live 11:14,15 16:21,24 17:3 living 52:9 lloydsville 49:13,23 109:7 109:10,14,18 109:21,25 110:8 128:24 loan 5:25 6:3,6 6:9,12,24 7:3 35:21 39:22 40:5,11,14,16 40:19 41:7,15 42:1,4,20 43:8 45:22 46:3,10 47:5,13 48:6 58:6,16 67:15 67:18,21 68:5 68:11,14,17,21 68:25 69:9,12 69:15 81:15 87:6,7,12,15 90:17 91:24 92:2 93:9,10 95:10,17 109:12,17,20 110:3 111:6 114:15,20 115:1,5,13 128:11 129:7 131:6 132:3,8 loans 58:20 70:14,18 71:7 72:3 73:9 88:2 89:9 90:6	101:15 118:10 118:23 119:13 120:22 121:1,4 121:11 132:18 located 15:7 50:17 51:15 location 8:20 long 13:2 73:19 look 18:10 64:16 66:8 72:2 84:6 105:3 109:4 114:9 132:24 133:12 looked 36:7 70:6 73:9 104:24 106:25 120:1 132:13 looking 17:20 37:22 68:9,19 69:2 119:4 133:2 looks 24:11 38:23 50:6 117:13 loop 100:17 lot 83:5 luis 48:21,25 50:8,11
l	line 40:3 41:24 43:6 46:1 47:12 49:8 56:9 76:21 122:9 131:14 lipsitz 2:21 liquidation 132:22 list 34:15 listed 16:11 25:15 99:16		m
lack 85:9 89:15 lane 7:4 19:17 19:17,23,24,24 20:12 25:16 117:7 118:21 late 45:4 law 2:10,16 law.com 2:18			m 1:24 2:6 133:12 135:3 136:5,21 m5r 2:17 made 31:15 34:19,23 60:7 60:11 79:2

[made - meeting]

Page 16

81:8,11 86:10	107:7,13	management	64:15,25 65:1
87:7 88:23	108:20,25	133:5	76:12,22 77:21
89:5,14 132:19	109:2,20 111:4	manager 13:21	78:19 79:3,15
133:17 135:10	111:9 112:4	76:24	80:6 85:10
mail 5:7,10,12	113:7 114:1,6	manages 18:4,9	89:17,22
5:14,17,20,23	114:24 115:3	18:12 28:14	106:11,15
6:1,4,7,10,13	120:18 127:6	75:15	108:10,12,23
6:16,19,22 7:1	127:14 128:5	managing	111:7 112:21
22:21,25 23:1	128:11,20,24	133:8,19,21	115:2 117:9
23:6,9,12,16	129:2,12,21,23	march 5:11	118:18 119:3
24:16,17 25:5	130:8,9,10	29:14,21 30:10	121:14 122:6
25:5,21 26:12	131:5,12,23	38:16 93:8	125:4,14 134:8
26:14 27:17	133:17 134:3	marked 5:2	mean 19:10,13
29:13,18,18,19	mails 30:9	16:5 22:20	20:4 28:25
29:20 32:2,7,8	34:22 46:12	29:12 31:25	38:22 39:1
32:10 33:17,21	48:15 70:12	33:16 35:2	40:15 46:8
34:2 35:4,9,14	71:13 72:14	37:16 39:19	53:18 57:22
36:6 37:18,22	108:24 111:16	41:11 42:17	58:8 71:5
37:24 38:7	128:18	45:19 48:8	72:13 75:14
39:20,24 40:4	main 99:5	55:25 95:6	84:12 87:19
40:6 41:13,17	major 25:17	108:18 111:2	98:20 100:19
41:22,25 42:18	99:2,15 102:1	117:11	105:1 114:7
42:23,24 43:4	majority	marks 59:8,12	119:17 121:3
43:7,10,23,24	133:11	121:18,23	124:22 126:9
45:7,11,13,20	make 12:10	mary 133:13	means 38:21
45:24 46:2,5,7	17:2,16 27:5	matter 1:18	92:21
47:3,7 48:10	38:2,8 42:13	8:15 82:12	meant 27:1
48:20 50:7	43:13 60:4,10	matters 28:8	mechanically
51:12 52:10	64:4 78:10,10	28:25 29:2	91:2
56:1,5,18 58:4	78:15,20 79:4	133:10	media 8:13
66:9,15,23	79:22 86:11,13	maule 54:3,6	59:8,13 121:19
67:4,6,13,20	88:2 107:3	99:9	121:19,24
68:10,20 69:4	118:13 124:16	mauzy 2:10,11	134:16
87:11 90:15	making 14:2	4:7 9:19,19	meet 15:2
91:9,11,22	28:22 35:17	11:1,2 17:9	meeting 62:25
93:7,18 94:1,9	36:5 39:8	22:11 37:13	112:9 113:3
95:7 97:5	86:21 88:22	59:2,16,18	114:2 123:17
101:18 103:11		61:6 62:10	123:19 124:3

[meeting - objected]

Page 17

124:11 125:2 125:10 meetings 32:14 120:16 123:4 memberships 17:19 memo 124:5,23 memorandum 60:3,12 75:5 77:13 78:9,15 123:16,20 124:10,14 memorializing 128:13 memory 88:17 mentioned 1:18 18:9 50:1 122:11 mentions 35:16 mess 84:22 85:1 met 15:4 62:24 76:25 123:8,12 123:25 middle 65:2 minneapolis 2:13 minnesota 1:2 2:13 8:18 51:16 minority 99:13 minutes 46:16 121:17 miscellaneous 53:7 mischaracteri... 108:8	missing 10:20 mn 51:15 moldon 33:23 36:8 54:15 63:5 99:9 103:13 105:23 106:8,12 129:24 moment 59:6 monday 44:5,6 45:6 money 17:2,16 18:14 21:1 22:9,14,17 30:11 34:15 36:21 58:13 68:25 72:16,25 73:10 74:6 80:13,20 81:3 83:1,7,11 90:10 92:15 95:2 96:6 110:15 115:17 129:8,14 132:8 133:14 134:4 month 36:17 36:18 44:3 89:12,14,25 96:14 102:22 monthly 37:3 53:3 55:16 56:25 57:1,3,7 58:9 months 38:25 53:21 morning 9:13 59:17,20	move 10:22 43:22 44:25 48:14 50:5 80:13,20 81:3 83:7,10 130:8 moved 129:8 n n 2:1 3:1 4:1 n.v. 49:14 name 8:23 36:3 59:18 102:11 named 23:13 names 13:7 25:14 26:25 national 74:8 nature 17:7 navy 14:22 ne 2:6 necessary 23:24 need 25:14 26:20 27:21 34:11 38:8 41:3 43:13 47:16 64:6 110:7 132:2 needed 11:4 38:1 73:23 83:7,10 100:2 needs 34:15 neither 136:12 never 69:19 76:25 96:16 117:1 new 2:22 24:1 25:1 85:17,18 98:8,12,23	127:11 normal 31:11 111:20 nosy 51:5 note 8:5 14:24 58:16 62:7 131:9,16 noted 46:25 notes 135:14 noticing 9:12 november 5:8 6:5 22:23 23:2 26:14 28:4 42:19,25 45:1 62:9,11 68:11 77:12,22,24 78:9,12 84:5 123:12,17 124:1 number 5:4 46:13 84:13 106:25 121:19 121:19,24 134:16 numbers 44:15 44:20 nv 49:24 o oath 9:3 10:10 135:7 oaths 136:24 object 65:22 67:1,8,17 68:4 68:16,24 69:11 108:11 125:7 objected 65:24 69:19
---	--	---	---

[objection - partner]

Page 18

objection 17:9 22:11 37:13 61:5 76:10,18 77:19 78:17,21 79:12 85:8 89:15 106:10 106:14 108:7 108:11,11 112:19 118:11 118:13,24 125:4 objections 9:6 11:1 135:10 obtain 83:1 obviously 25:20 occasionally 53:6 october 6:11 25:5 47:4,9 69:5 77:2 94:2 94:10 office 15:6,7,13 officer 136:5 oh 31:1 47:10 94:5 118:16 119:11 ok 27:4 okay 10:12 11:3 12:17 13:6 16:4 18:24 19:4,15 19:19 20:6 22:19 24:15 25:3 28:17,21 33:8 34:17 46:24 48:17,20 49:3 50:5	51:25 52:4 57:15 59:1,6 60:16 62:24 73:3,12 75:12 75:24 76:23 84:16 89:13 90:14 91:6,10 93:6 94:5 95:23 96:10,12 97:19,24 100:17,21 104:18 105:8 105:13 106:5 109:5 110:12 114:7 117:23 118:6 119:11 119:11 124:13 125:1 127:5 128:7 129:5 134:13 old 71:16 112:8 112:13,16,23 113:4 114:2 once 18:14 100:5,7 101:11 127:1 ones 70:10 99:5 online 16:21 17:2 96:3 ontario 1:13,21 2:17 8:21,22 11:16 136:3,24 opens 45:6 operate 13:7 operational 14:3 opportunity 123:15,20	order 25:11 orderly 85:15 85:19 organization 72:16 73:1,11 organizational 5:6 16:7 organized 59:3 outcome 9:5 136:18 outside 97:17 97:25 override 86:9 overrule 122:22 oversaw 15:24 own 21:14 24:9 25:22 27:13 37:6 57:16 83:2 106:13 owner 74:10,19 74:21 75:1,9 75:20,23 76:8 76:17 79:10,24 124:20 125:12 owners 26:7 ownership 16:16 26:1 123:5 owning 79:6 owns 18:23 26:21 75:15 77:16 78:3	65:2 107:18 110:5 111:8,9 114:9,12 128:18 130:8 131:14,15 pages 111:3 paid 36:21 92:15,16,20 99:23 100:2,7 130:21 panama 30:2 paperwork 24:13 127:19 128:8 paragraph 75:6,22 77:3,7 77:14 79:5,9 84:6 132:20,23 132:25 133:2,4 pardon 72:19 115:25 part 15:22 60:16 95:25 100:16 112:24 119:18 126:10 128:4 131:12 participants 8:8 parties 8:11 10:13,19,21 136:13,16 partner 15:20 29:23 31:20 34:6,7 35:21 36:2 112:3 121:3 131:19 131:19 132:9
		p	
		p 2:1,1 3:1,1 page 4:4 5:4 32:7 48:17	

[partners - proceed]

Page 19

partners 25:12 26:6 41:1 52:20 53:6	37:3,9,20 38:2 38:3,8,20 67:5 69:16 70:6	55:8 57:9 58:1 85:9 89:16 105:6 106:10	109:15,25 112:17
party 9:3 24:6	71:2 73:18	112:19 118:11	point 14:20
pass 26:18 32:15	88:23 89:5,13 89:24 101:22	120:22 121:1,7	42:12 58:10 99:9 117:5,24
passed 17:22 19:5,16	102:4,23 103:1 122:21 125:25	personally 96:18 120:11	119:20 122:21 130:2
paul 49:14 50:24 51:13	payoneer 23:19 23:25 24:5,6	peter 3:9 8:23 phone 128:4	poppy 50:7 position 74:13
99:9 111:8,11 111:22 112:5	27:22	physical 15:12 26:22 27:12	prepared 60:4 123:16
113:8,16,19 114:15,17	payouts 18:13 payroll 92:24	physically 57:21	presence 74:24 77:24
126:21 127:19 129:9 131:6	pdf 25:16 people 17:1,3	pierre 97:15,16 place 8:11	present 3:3 9:9 120:12
paul's 113:7 pay 5:9 22:23	25:14 27:12 31:10 78:1	135:6 plaintiff 1:7,18	preserving 118:14
35:21 47:17,24 55:6 87:15	112:23 people's 53:24	8:15 plaintiffs 2:3	previous 75:17 125:10
92:19 98:7,11 107:19,23	percent 106:3 132:21	please 8:5 9:7 10:7 23:23	previously 5:2 13:7 123:12
127:10 130:14 payable 13:23	performances 17:6	27:20 30:11,21 35:20 38:11,14	126:14 prices 113:15
30:13 payees 25:12	performers 17:19 18:14,14	40:9 42:3 47:17 49:9	primarily 14:12 15:15,23
paying 52:25 56:22 102:7	period 19:20 37:9 38:12,15	50:12 51:3 59:7 64:25	prior 14:8 45:13 73:2
payment 24:6 27:24 39:2	72:21 82:5 100:11,22	66:9 67:12 75:6 80:3,10	123:4 124:3 probably 17:8
58:6 67:1,8 89:10 91:4	permission 80:8,13,16	90:13 94:16 98:7,11 102:10	24:11 98:17 120:2
93:19 96:1,4 107:9 125:22	133:19,25 person 26:21	104:7 110:15 113:20 114:17	problems 60:23 62:12,15
127:3 128:11 payments 5:22	26:22 29:1 74:2 80:8	116:10 129:14 130:14 131:24	62:17,19 procedure
14:2,2,3 24:7 27:5 34:23	86:18 89:7 personal 50:18	poel 33:22 34:5 49:25 54:21	10:17 69:14 proceed 10:8
	53:8,12,14	99:3,5 103:12	

[proceeding - recognize]

Page 20

proceeding 9:7	purchase 17:18	27:9 28:1,9	122:9,24 123:8
proceedings	18:4 49:20	30:6,14,22	123:10,25
1:22 135:5	50:2 111:24	32:24 33:24	124:9,10
process 10:24	126:15 131:7	35:11 37:23	125:23 126:4,5
49:10 125:21	purpose 56:21	38:17 40:1,12	127:1 128:7,9
126:24	purposes 44:7	41:19 42:25	128:25 129:21
product 18:11	44:16	43:15 45:8	130:9 131:7,18
professional	pursuant 10:16	47:19 49:21	131:20 132:13
2:16 135:4	132:22	50:21 51:7,19	receivable
proffer 60:17	put 10:14 11:5	56:7 127:22	30:13
profile 130:22	24:16 64:3	128:2 129:10	receive 58:6
promissory	126:12 135:7	129:16 130:17	96:21 103:20
58:16	putting 131:17	130:24 132:5	124:10
properly 88:2	q	133:15	received 12:21
88:24	quality 8:6,7	reads 49:18	36:20 58:13
property 51:22	question 31:12	real 49:20 50:2	66:14,20,23
52:5,7,8	31:14 57:23	50:17,18 51:15	68:1 72:2
protect 132:3	82:18 88:25	51:17 126:15	90:20,23 91:1
protocol 10:18	116:9 118:17	really 15:21	93:14 94:22
10:20,25	125:6	25:9 27:11	95:13 96:16,22
provide 18:13	questioning	86:11	96:24 97:10
27:20 50:14,20	10:13 122:9	realtime	102:22 106:21
51:3 52:14	131:11	136:10	108:4 111:19
55:19,22 126:2	questions	reason 61:1,4,7	126:18 128:8
126:7,23 127:2	50:24 51:6	61:10	130:4
128:10	63:8 121:14	rebecca 48:21	receiving 34:21
provided 45:15	122:3,7 123:4	48:25 50:11	37:1 40:21
124:4,7 127:2	125:20 126:17	recall 15:4	52:13 93:18
133:9	126:22 134:8	19:22 20:9	recess 46:19
provider 24:7	quite 47:1	21:17 31:19,23	59:10 64:11
provides 30:5	r	34:21 36:14,20	121:21
providing 33:2	r 2:1,5 3:1 5:11	37:1 42:6,12	recognize
69:12	29:14	43:17,20 45:15	16:10,14 90:15
province 136:3	rare 108:6	47:25 48:2,3,7	93:12 94:21,23
136:24	rate 127:20	50:3 52:13,15	97:13 99:2
provision	read 23:14	58:10,15 72:11	101:18 103:11
132:25	24:2 25:18	76:2 78:4	103:16 107:7
		79:17 94:19	111:16 115:9

[recognize - request]

Page 21

117:12 recollection 92:10 reconcile 14:4 34:11 103:25 105:2 129:24 130:3 reconciled 104:12 reconciliation 53:21 reconciling 105:4 record 8:4,12 9:11 10:14,14 11:5 14:25 46:15,17,22 57:8,9,16 59:5 59:9,14 62:8 64:7,9,14 86:25 87:6,16 87:20 103:23 104:18 105:13 118:15 121:16 121:20,25 131:10,16 134:14 recorded 8:10 8:14 44:23 57:12,13 78:8 87:3,18 88:2 88:24 104:12 135:11 recording 8:6 8:10 recordkeeping 85:24 103:4	records 33:13 57:12 58:12 70:13,15,15 72:3,8 85:4 103:8 104:25 119:18 120:7,9 reduced 136:11 refer 20:2 33:11 56:13 reference 32:19 33:11 49:19 50:2 94:3 97:15 104:16 110:3 114:20 119:6,12 references 90:17 98:24 109:12 referencing 67:21 94:13 referring 34:14 43:18 44:10 45:16 112:25 117:16 126:13 refers 41:7 69:8 reflect 70:13 refused 42:13 126:7 refusing 61:13 regarding 26:6 29:4 34:23 36:7 95:9 97:7 107:9 113:8 114:15 127:25 130:10 131:6 register 25:16 25:25 26:2	registered 135:4 registers 28:6 regular 36:12 37:3 101:13 reimburse 53:16 related 9:3 10:15 12:23 29:2 53:12 57:9 95:21 96:8 109:1 122:8 128:8 136:13,15 relates 101:22 relating 67:4 84:6,14 105:18 116:9 133:5 relationship 18:1,21 19:1 released 50:13 remember 41:9 47:21 58:8 65:9,21,23 66:7 67:2,9,19 68:6,18 69:1 69:13,21 72:6 73:14 76:6,21 78:11,13 79:25 91:9,17 93:23 101:3 102:17 116:13 117:17 119:2,21,23 123:6 reminder 31:8 remote 15:15 remotely 9:10	rent 14:3 44:4 rental 51:17 repaid 48:1 58:12 repay 58:17 121:11 repaying 48:5 repayment 58:24 repeat 33:4 80:10 92:18 118:17 rephrase 18:8 report 63:15,22 64:23 122:14 reported 86:2 reporter 8:25 10:7 31:9 57:2 135:4 136:1 reporter's 135:1 represent 59:19 representing 8:24 request 36:6 37:1,11 49:10 50:14 51:10 64:4 65:7,17 65:20,22,24,25 66:17 68:14 69:15,15,17 80:11 90:21,24 91:2 92:1 93:9 95:9,16 103:5 108:1 109:6,24 110:19 131:2
--	---	---	--

[requested - rypl.com]

Page 22

requested 38:6 39:6 42:14 90:9	88:19,22 89:3 89:4,8 90:5	richard's 102:4	rule 10:17
requesting 24:10,13 40:23 43:9 46:10 56:17,19 80:8 80:13,16	rest 17:22 38:24	right 11:13 14:24 16:19 18:12 19:13 26:24 30:9 53:17,18 63:7 64:2 65:19 66:8,25 71:3 72:24 74:4 75:4,16 76:4 77:1,11 78:14 82:21 84:2 88:1 89:23 93:4,17,20 95:12,15 100:1 100:19 102:18 103:4,8 104:21 105:20 106:13 107:25 113:6 114:9,11 116:8 116:20 117:18 117:20,25 129:25	running 44:4 rusty 3:5 9:22 75:1
requests 34:22 40:19 57:1,3 58:4,6 65:10 65:14 69:20,23 102:5 106:24 106:25 107:4 108:4 111:22 122:20,23 128:12,14 133:18 134:3	restroom 121:15		ryan 54:3,6 99:9
required 53:15	resuming 46:20 59:11 64:12 121:22		rypl 2:15 10:2 12:25 13:3,6 13:25 14:8 15:12,18 21:14 21:17 22:1 28:22 31:20 36:10 37:11 39:10 44:2 52:22 54:6,12 54:15,18 55:3 55:11 57:16,24 63:13 70:9,10 70:19 71:12 72:8,12 82:24 83:1 84:18 85:4 86:2 87:3 89:3 91:16 92:16,19,22,25 93:1,1 95:22 95:24 96:2,7,9 96:10 97:25 98:7,11 103:5 104:11,16,22 105:10,11,14 116:21 118:20 119:16,19,22 120:7,9 127:10 127:15
requirement 125:23	retained 134:17		
requires 12:4 107:15	revenue 17:14 17:21 19:5,5 19:15		
resolutions 100:25	review 60:3 75:17 78:7,15 83:22 89:11,14 89:23 90:13 111:3 119:5,19 123:15,20 124:13		
respond 103:5	reviewed 71:8 77:14 102:3 117:1 118:1 119:25	rodenburg 36:4 54:24 99:4,5 107:8 107:12 108:1,5 108:13 109:22 110:1 112:17 130:11	
responds 28:3 30:20 43:25 45:7 51:14 129:4,13	reviewing 16:9 53:10 129:2		
response 109:2 113:7 127:24	reviews 75:7 77:9 84:7 97:8 101:21 109:5 109:11 110:18 119:8	role 15:19 28:13 86:22	
responsibilities 14:1	rice 3:6 9:24,24 11:3,6	rolling 24:14	
responsibility 86:24	richard 29:20 29:21 30:11 99:4 101:23,25 102:15 112:17	room 14:18	
responsible 15:23 52:25		royal 21:19 rpr 1:24 135:3 135:22 136:21	rypl's 88:8 rypl.com 12:15 12:17

[s - shareholder]

Page 23

s	searched 62:2	110:15 113:20	66:3,10,12,22
s 2:1 3:1	second 29:17	114:17 115:11	67:5,14,17,22
salary 44:3	43:23 48:16	116:10 129:14	68:1,7,12,16
sale 17:17	71:21 73:20,23	130:15	68:20,24 69:5
saw 117:20	80:17,19,22	sending 92:1	69:11,19,22
119:22	81:2 124:10	125:22	84:16,18 85:12
saying 28:4	125:22 126:3,7	sent 25:24,25	85:13 86:1
45:2 70:18	126:23 127:3	26:1 49:12	87:24 88:1,6
76:2,4,6,21	130:8	56:20 58:21	88:18 89:3
78:4,11,12,13	section 119:4,9	68:11 96:4	90:16 91:23
79:17 87:11	132:16	106:18 113:8	92:12 93:9
107:13	security 25:11	115:17 126:1	94:2,10 95:8
says 19:16	see 26:24 35:19	134:4	96:21,24 97:5
23:16 25:6	48:19 68:22	september 7:3	101:19 103:13
26:15 38:7,10	118:16 119:6	24:18 114:25	105:20 106:5
40:14 43:12	127:8 129:6	115:4	108:21,25
44:10 46:7	seeing 48:3,7	service 16:22	114:15 115:5
47:24 52:11	58:11,15	16:24 24:8	115:23 116:15
79:18 98:6,20	119:24	44:21	122:7,11,14,22
104:6 110:6,14	seem 45:10	services 13:11	128:20
111:11 112:7	131:13	92:16	severin's
113:9,13 114:1	seems 109:20	set 10:24 45:5	122:17
114:5,16	seen 8:8 58:18	48:16 84:2	sexually 17:7
115:12 127:12	69:23 117:3,5	135:6	shape 85:11
130:19 131:23	117:19 118:3,4	sets 48:15	shareholder
132:1 133:13	118:20	several 58:4	25:17 31:20
schedule 58:24	sell 113:11	122:6 123:3	32:18 54:4,10
school 12:20,24	send 21:1,8,12	severin 6:20	57:20 80:12,15
schooling	22:9,14,17	14:5,6 21:10	81:8,14 83:17
12:19	23:23 28:6	22:8,13 32:9	87:5,11 98:12
scime 2:21	29:4,8 30:11	33:23 35:10	98:19 99:18
scollard 2:17	31:21 39:5	39:25 41:18	100:6 105:5,8
scott 2:5,7 9:15	40:9,19 42:3	42:24 43:24	105:17 106:24
9:15 74:25	46:12 51:12	44:9 45:14,25	106:25 110:20
screen 8:9	93:10 94:16,25	47:8 54:18	110:21 111:12
25:21 48:18	95:9 96:6,12	56:6 57:14	112:1 116:21
126:12	96:13 102:10	63:15,23 65:3	116:23 117:2,4
	104:8 107:12	65:5,13,20	117:12,15,20

[shareholder - statement]

Page 24

118:1,7,8,19	129:18 130:6	slightly 52:16	specialist 97:19
118:21,22	131:4 132:11	smartvu 102:8	specific 70:23
119:1,6 120:15	showed 126:14	102:22	119:1 132:25
127:11	129:20	software 44:20	specifically
shareholder's	showing 20:18	71:17 85:17,18	50:4 71:12
117:13	41:10 42:16	solutions 1:20	76:21 78:4
shareholders	45:18 46:24	8:25 9:1	81:13 91:8
7:4 34:19,22	48:8 53:24	134:17	92:11 93:13
41:1 57:15,24	72:8 91:20	somebody	103:17 119:21
70:25 73:19	93:25 103:10	44:13	119:23
80:9 82:9 89:5	shown 130:7	somewhat	spell 13:12
90:6 99:1,3,8	sided 94:5	17:24	spreading 39:3
99:13,15 102:1	sign 11:24	soon 45:6	spreadsheet
107:3 117:8	signal 128:12	sorry 12:16	96:13,16 97:1
118:9,22	signaled	13:23 18:4,6	104:9
120:12,19	131:14	21:21 25:7	spring 113:12
121:1,6,10,10	signature	29:18 31:1	st 11:15
132:12,19	71:19,22 73:20	33:7 44:17,19	stand 13:22
133:11 134:3	73:24 80:17,19	47:10 57:22	60:10
shirt 14:23	80:22 81:3	62:11 77:7	stands 28:7,25
short 6:12 44:4	82:17 83:3,13	79:14 80:4	start 29:17
46:12 47:5,12	125:21,23	92:18 94:4,5	42:22 48:16
59:2 69:8 82:5	126:3,7,23	102:17 118:16	49:23 73:3
132:2	127:3 135:21	119:9 125:17	111:8
shorthand	136:20	sort 76:24 97:1	started 11:5
135:14 136:10	signatures	99:12	13:10
show 16:4	71:20 83:7,10	sorted 27:25	starting 16:19
22:19 26:13	signifying	sought 57:2	17:25 23:12
29:11 31:24	131:15	source 25:10	128:19
33:15 35:1	signing 82:23	104:4	state 9:7,10
37:15 39:18	similar 34:22	south 2:12	75:8,11 77:22
50:6 55:24	36:6,9 107:4	spain 35:18	78:1
57:18 77:1,2	simply 86:18	speak 44:17	stated 75:22
84:4 90:12	sir 77:7	53:13	77:14 79:10
93:4 95:5 97:4	sitting 124:19	speaking 28:15	statement 11:4
101:17 107:6	125:10	31:10 108:10	75:17,21 78:8
108:18 111:1	situation 84:21	108:11	79:23
127:5 128:16			

[statements - thursday]

Page 25

statements	115:5 128:21	system 70:17	term 6:12 47:5
12:9 20:18	132:20 133:1,4	t	47:13 69:8
53:4,10 55:17	subjects 52:16	t 6:20 49:14	101:5 127:20
55:20 57:6,19	subpoenaed	108:21	terms 81:6
89:11,21	11:21	take 8:11 19:23	106:24 120:21
states 1:1,6	suggested	59:2 109:4	120:25 121:9
8:16,17 9:14	131:11	118:9,22	122:20 131:25
9:16 10:17	suite 1:21 2:12	121:15 132:24	testified 10:10
11:25 60:18,21	2:22	taken 1:19,23	131:18
60:24 61:2,21	summarized	8:15 10:16	testifying 11:18
113:19 127:17	60:11	46:19 59:10	130:10 131:7
132:17 133:3	supervisor	64:11 88:23	testimony 12:5
stating 79:25	122:12	100:4 121:21	12:8 61:18
status 80:25	supporting	135:6,14 136:6	108:8,9 131:10
stenographic...	50:20	136:9,14	134:15 135:9
135:11	sure 17:1 18:8	talk 31:10	136:7,9
stenotype 1:23	26:1 38:22	52:17 63:2	thank 26:16
step 19:23	64:5 71:5	118:6	64:8 77:6 80:5
stick 124:24	74:12 77:10	talked 63:4	113:10 134:13
sticker 47:1	80:25 82:4	83:17 99:1	thanks 45:8
stickler 25:8	83:24 85:5	talking 62:14	thereto 136:17
stock 25:16,25	88:2,22 92:21	81:12	thing 37:23
26:2 28:6	93:3,22 96:22	task 105:4	101:6
stop 102:7	97:21 100:13	tax 2:4 5:22	things 24:4
straighten 85:3	105:1,19 112:2	12:22 37:20	think 13:21
85:6	115:21 117:3,5	38:2,3,8 67:4	21:22,22 54:11
streaming 17:4	117:22 119:20	97:19 127:15	77:5 94:4
street 1:20 2:6	132:10	127:17 132:4	108:8
2:17 8:21	surecom 18:22	td 21:23	third 2:12 24:6
structure 17:23	18:23 19:2,13	technically	thorough 25:13
19:6	26:1 27:22,24	64:24	thousand 109:7
subject 40:3	28:16 30:17	tell 57:19 71:11	109:9 110:23
41:24 43:6	swear 10:7	74:24 76:16	111:23
46:1 47:12	switching	telling 74:15	three 38:24
51:22 52:5	24:12	template	51:6 121:19,24
56:9 67:14	sworn 1:19	131:24	126:17 134:16
68:11,21 91:24	136:8		thursday 1:14
93:9 103:14			1:22

[time - type]

Page 26

time 9:7 13:20 15:8 19:20 23:8 26:4 27:7 31:23 32:21 37:9 42:12 49:1 51:21 52:1 64:21 72:21 73:11 82:5 84:25 87:9 88:16 100:11,22 101:2 122:24 126:4,5 135:6 135:7,10 timing 112:2 tip 17:18 title 12:25 13:19 today 11:19,22 12:5,8,10 14:18 124:19 125:11 126:10 127:25 134:10 134:12 today's 113:15 134:15 toine 35:17,24 36:1 54:24 99:4 107:8 108:13 109:22 110:1 112:17 129:9 130:10 130:13 131:1 toine's 5:19 35:6 36:3 tokens 17:17 18:17	told 43:20 61:11 tomorrow 43:14 112:9 114:2 130:20 tony 14:5,6 21:10 22:13 32:8 33:23 35:10 39:25 41:18 42:24 43:24 45:14,25 47:8 54:18 56:6 57:14 63:15,22 65:3 65:5,13,20 66:3,10,12,22 67:5,14,17,22 68:1,7,12,16 68:20,24 69:5 69:11,16,19,22 84:16,18,22,25 85:12,13 86:1 87:24 88:1,5 88:18 89:1,3 90:16 91:23 92:12 93:8 94:2,10 95:8 96:21,22,23 97:5 98:9 101:19 103:12 105:3,20 106:5 108:25 109:2 110:11 114:14 115:4,23,23 116:15 122:11 122:14,17,22 127:7,17 128:20 129:4	took 84:25 85:12,13,16 top 22:25 45:7 98:21 129:12 131:14 toronto 1:13,21 2:17 8:22 15:10,11 total 103:1 totalling 38:9 tourists 62:2 track 89:4,24 tracking 34:18 training 12:22 transaction 33:12 50:3,13 51:22 52:3,5 87:7,16,18 128:8 transactions 20:18 30:25 33:3 44:23 51:10 53:21 57:11,17 89:8 transcribed 1:23 135:12 transcript 135:14 transfer 6:15 6:21 29:25 37:2 39:8 42:7 42:13 47:17,22 48:12 68:4,17 68:25 70:25 72:16,25 73:10 73:17,24 74:3 80:9 81:7,17 83:2 91:14	108:22 109:1,6 109:9,24 110:20 116:12 116:18 128:22 128:24 transferred 82:9 87:14 92:5,8 104:13 transferring 86:15 transfers 20:21 21:4 22:4 32:17 40:22 86:25 87:2 134:4 treated 99:19 trial 61:2,13,14 61:17,18 true 12:8 23:5 45:10 46:4 76:8 116:4 135:13 trust 77:16,17 78:2 79:6 truthful 12:5 61:18 try 48:18 turn 77:3 107:18 twenty 111:23 two 19:25 20:3 30:9 31:10 46:16 48:15 59:13 71:20 83:7,10 101:9 121:20 type 90:21 103:18 107:25
--	---	--	---

[typical - wearing]

Page 27

typical 69:14	11:25 20:11	usually 21:10	village 15:9
typically 21:3,8	28:14 49:4	31:9 53:20	virtually 8:6
22:8 40:22	60:18,20,24	65:10 80:12	voice 80:3
u	61:2,21 71:22	utility 14:4	voluntarily
u 13:13	73:20 74:7,8	utilize 81:16	11:18
u.s. 12:8 49:12	74:16 75:2,9	91:13	voluntary 11:9
uh 44:20	75:20 77:15,16	utilized 70:5,24	vote 133:11
uhm 18:18	77:17 78:2	81:7 107:22	voted 134:3
63:21 87:13	79:5 80:13,23	v	vs 8:16
97:9 98:10	81:3,15 82:1	v 1:8,9 2:9 8:16	w
uib 77:17 78:3	82:10,14 84:11	value 132:22	wait 31:13 44:6
79:6,10,24	87:15 91:6,14	van 33:22 34:4	want 10:14
80:8 83:8,11	92:9 93:21	49:25 54:21	16:4 18:6
83:16	95:2,20 115:19	99:3,5 103:12	22:19 23:11
uit 78:3	116:12 123:5	109:15,25	25:4 26:12
ultimately	124:20 125:12	112:16	27:12 29:11,17
26:20 89:7	125:21 126:2,6	various 26:9	30:8 31:24
unaware 55:9	126:18 129:6	32:14 52:23	32:6 33:15
72:5 76:14	unsure 112:3	verbatim 84:5	35:1 37:15
under 13:7	untangle 85:1	veritext 1:20	39:18 48:14
17:12 135:7	unusual 30:24	8:21,24 9:1	50:5,6 52:17
understand	31:2,7 33:1,5,7	134:17	55:24 60:17
11:8,10 12:3,7	33:9 34:17,20	versus 71:12	61:2 128:16,17
28:24 34:13	108:1,3 122:25	video 8:10,14	129:6,18 131:9
40:15 46:8	132:7	videographer	131:16 132:11
56:12 101:11	urgently 49:9	3:8 8:3,24 10:6	132:15,24
understanding	usd 44:2,4	46:17,21 59:6	wanted 81:14
11:8 15:18	use 12:9 50:18	59:12 64:9,13	87:12 126:7
17:21 19:11	53:7 55:5 64:2	80:1,5 121:18	washington 2:6
28:18 125:11	81:9 101:4	121:23 134:9	way 30:25 33:3
understood	131:24	134:13	121:11
25:22 37:24	used 104:17,19	videotaped	we've 46:25
56:17 100:1	134:16	1:16	48:24 69:22
unit 8:13 59:13	users 17:18	view 20:17	73:9 122:21
united 1:1,6	using 17:4	83:25	wearing 14:21
8:16,17 9:14	102:11,19	viewing 84:8	14:22
9:16 10:17	136:10	84:10	

[webcam - zimmerman]

Page 28

webcam 17:4	worked 13:2,4	year 35:23
webkrew 13:14	13:14 15:17	38:23,24 47:18
14:9	29:9 36:10	47:25
website 17:7,11	49:1 50:9	years 72:24
week 60:2	92:24 97:17,25	117:24,25
62:25 123:9	working 14:8	yesterday 63:2
went 58:3	79:5	york 2:22
61:17	works 19:9	z
west 1:20 8:21	31:11 77:15	zimmerman
white 14:23	78:2	1:16 4:3 5:8,15
william 2:10,11	write 23:17	5:18,21,24 6:2
2:12 9:17,19	27:17 49:5,8	6:5,8,11,14,17
wire 29:15	writes 29:24	6:23 7:2 8:14
43:13 45:5	30:10 32:12	10:4,5,9 11:7
102:8 113:21	34:9 42:2	11:13 16:9
130:16	47:15 50:11	22:22 33:18
wise 132:4	written 76:1	35:5 37:19
witness 1:17,19	136:12	39:21 41:14
2:20 4:3 8:9	wrong 77:4	42:19 45:21
10:5,7 14:25	94:4	46:24 47:4
57:3 75:7	x	48:11 56:2
76:20 77:9	x 1:5,11 4:1	59:17 80:2
79:1,14 80:4	y	111:5 114:25
84:7 89:20	y 13:13	122:2 131:12
97:8 101:21	yeah 14:23	131:17 134:16
109:5,11	16:21,22 17:2	
110:18 118:16	18:15 36:19	
118:25 119:8	44:11 47:11	
125:16 134:11	59:4 70:16,17	
134:12 135:7,9	70:21 74:9	
136:7,9	75:18 77:6	
word 32:18	82:22 87:10,10	
words 24:10	89:20 92:7,19	
25:22	93:1 96:19	
work 12:14	97:17 103:7	
14:10 15:14	111:10,13	
23:9 95:23	114:11 120:5	
96:1 129:9		

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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